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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

FIRST SESSION

OF THE SECOND

LEGISLATIVE ASSEMBLY OF WISCONSIN;

BEGUN AND HELD AT MADISON, ON MONDAY THE TWENTY-SIXTH DAY OF
NOVEMBER, IN THE YEAR OF OUR LORD ONE THOUSAND
EIGHT HUNDRED AND THIRTY-EIGHT.

JOSIAH A. NOONAN, MADISON, W. T.

1838.

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

FIRST SESSION OF THE SECOND LEGISLATIVE ASSEMBLY
OF WISCONSIN TERRITORY;

BEGUN and held at Madison, in the county of Dane, on Monday, the twenty-sixth day of November, in the year of our Lord, one thousand eight hundred and thirty-eight, and convened pursuant to the Proclamation of the Governor,

On which day, the following named members having taken the oath of office before the Governor, appeared and took their seats, viz :—

From the County of Brown.—Messrs. Ebenezer Childs, Charles C. Sholes, Barlow Shackelford, and Jacob W. Conroe.

From the County of Milwaukee.—Messrs. Lucius I. Barbet, William Shew, Henry C. Skinner, Ezekiel Churchill, and Augustus Story.

From the County of Racine.—Messrs. Orrin R. Stevens, Zadoc Newman, and Tristram C. Hoyt.

From the Counties of Rock and Walworth.—Messrs. Othni Beardsley, and Edward V. Whiton.

From the Counties of Green, Dane, Jefferson and Dodge.—Mr. Daniel S. Sutherland.

From the County of Iowa.—Messrs. Russel Baldwin, John W. Blackstone, Henry M. Billings, and Thomas Jenckins.

From the County of Grant.—Messrs. Thomas Cruson, Nelson Dewey, Ralph Carver, and Joseph H. D. Street.

From the County of Crawford.—Mr. Alexander McGregor.

On motion of Mr. Childs,

John W. Blackstone was appointed Speaker, pro tem.

On motion of Mr. Childs,

John Catlin was appointed Chief Clerk, pro tem.

On motion of Mr. Childs,

Clovis A. Lagrave was appointed Sergeant-at-arms, pro tem.

On motion of Mr. Barber,

Silas H. Rice was appointed Doorkeeper, pro tem.

On motion of Mr. Childs,

Ordered, That a committee of two be appointed to inform the Council that this House is now temporarily organized, and ready to proceed to business.

Messrs. Childs and Baldwin were appointed the said committee.

On motion of Mr. Childs.

Resolved, That a committee of two be appointed by this House, to act in conjunction with a similar committee to be appointed by the Council, to examine the Public Buildings at this place, and report their present condition, together with the probable accommodations to be afforded the Legislative Assembly.

Messrs. Sutherland and Barber were appointed said Committee.

Ordered, That the Clerk request the concurrence of the Council therein.

On motion of Mr. Sholes,

The House adjourned until to-morrow at 10 o'clock, A. M.

Tuesday, November 27, 1838.

The House met pursuant to adjournment, and the minutes of yesterday were read.

On motion of Mr. Sholes,

Resolved, That a committee of two be appointed on the part of this House, to act in conjunction with a committee to be appointed by the Council, to wait upon His Excellency, the Governor, and inform him that the two Houses are now organized pro tempore, and ready to receive any communication he may have to make to them.

Messrs. Sholes and Barber were appointed the said committee on the part of the House.

Ordered, That the Clerk request the concurrence of the Council therein.

Mr. Childs, from the committee appointed to inform the Council of the organization of the House, pro tempore, reported that they had performed that duty.

On motion of Mr. Street,

The rules of the last annual session were adopted, until others could be prepared.

Messrs. Irwin and Prentiss, from the Council, informed the House that the Council had organized pro tempore, and were ready to proceed to business.

The following message was received from the Council by the Secretary thereof:—

“Mr. Speaker—The Council have concurred in the resolutions of this House, appointing a committee to wait upon his Excellency, the Governor, and inform him that the two Houses are now organized pro tempore, and ready to proceed to business, and for the appointment of a joint committee to examine and report upon the public buildings, &c., and have appointed

“Messrs. Collins and Brigham under the first resolution, and Messrs. Rountree and Prentiss under the second.”

And then he withdrew.

Mr. Sholes, from the joint committee, appointed to inform the Governor that the two Houses are now organized, &c., reported that they had performed that duty, and that his Excellency, the Governor, would meet the two Houses in the room occupied as the Hall of the House of Representatives, within thirty minutes, and deliver his message.

On motion of Mr. Childs,

Ordered, That seats be prepared for the Governor and Council.

The Council having met the House in the room occupied as the Representatives Hall, his Excellency, the Governor, was introduced and delivered the following message.

Fellow-Citizens of the Council

and House of Representatives:

You are convened under a new organization of the Legislative Assembly, in conformity with the provision of the 19th section of the act of Congress, creating the Territory of Iowa, and prescribing her form of government. The division of this Territory I consider of the first importance to the welfare and future prosperity of both the people of Wisconsin and Iowa. From the great extent of Wisconsin, before the division, and the diversified interests and pursuits of her citizens, it was difficult to enact such laws as were suited to their wants and condition. As you have recently been elected the representatives of the people, you will bring with you a knowledge of the wants and wishes of your constituents. To legislate for enlightened freemen is surely one of the most responsible duties that can devolve on members of the same community. I trust that a spirit of harmony will govern your intercourse in your legislative duties, and that no sectional jealousies will

arise to prevent that union of feeling, and concert of action, so necessary to promote the general welfare of the people of this young and prosperous Territory.

By the organic law of Congress, creating the Territory of Iowa, the members of the Council are elected for the term of two years, and for the House of Representatives for the term of one year. This provision of the organic law, creating that Territory, is more consonant with the spirit of our republican institutions, and the rights of the people of Wisconsin, than the election of members of the Legislative Assembly for the term of four and two years, agreeable to the provisions of the organic law, creating the Territory. It is well known that the tide of emigration flows to this Territory in the spring and autumnal seasons of the year, and the citizens who thus arrive, and locate themselves, cannot exercise the right of suffrage till the end of the quadrennial period, in relation to the Council, and of the biennial period, in relation to the House of Representatives, yet they are subject to laws enacted by a body in whose election they have no voice. I respectfully recommend to the Legislative Assembly, the justice and propriety of memorializing Congress, asking them to amend the organic law of this Territory, so that the Council may be composed of members elected every second year, and the House of Representatives to be composed of members elected annually.

At the last session of Congress, a bill was introduced in the House of Representatives for the admission of this Territory as one of the States of this Union, which was postponed for want of time. I recommend the early action of the Legislative Assembly on that important subject. The wishes of the people of this Territory should be consulted at an early period, and if the majority of them determine in favor of a State Government, it should be established. The admission of Wisconsin, as one of the independent States of this confederacy, at an early period, would be productive of much good to her inhabitants; they would be represented in both branches of the national Legislature, and her citizens would equally participate in the enjoyment and advantages of a state government, when the voice of the people would be the foundation of their rights. From the great extent of this Territory, the fertility of her soil, the salubrity of her climate, with the great lakes Michigan and Superior, on the east and north; and the "Father of Rivers," on the west; with her inexhaustible treasure of minerals, composed of lead and copper; with her extensive forests of pine, and abundantly supplied with water privileges; with every natural facility for forming a general system of internal improvement between the Mississippi and the lakes (our inland seas); supported by the fostering care of this patriotic and enlightened administration; with the intelligence, industry, and enterprise of her citizens, her "march will be onward," and the time is not distant when she will form a strong link in the chain of states in the great valley of the Mississippi.

I respectfully recommend to the Legislative Assembly the passage of a law, creating a tax on the lands of non-residents, for the purpose of forming a fund to be applied exclusively for the establishment and support of Common Schools in this Territory, upon such a system as may be devised by the Legislative Assembly. This fund to be expended under the direction of commissioners, to be appointed for that purpose. By the 6th section of the organic law, creating this Territory, it is provided that the lands or other property of non-residents shall not be taxed higher than the lands or other property of residents. The power is given by Congress to the Legislative Assembly, to pass laws on all rightful subjects of legislation, not inconsistent with the organic law. The most favorable construction should be given by the Legislative Assembly in the exercise of the powers delegated to them by Congress, that will best promote the common good of the people of this Territory. A well digested system of common schools, established in this Territory, would contribute more to the benefit of the rising generation than any measure that could be presented for the consideration of the Legislative Assembly. The benefit of such a system to the poorer classes of the community, would tend to that equality among the people which is so essential to their harmony, and so consonant with the spirit of our republican institutions. Its happy influence over the morals of our citizens would promote the cause of Religion and Virtue, and cement more closely the bonds of our political union, and be the means of preparing the rising generation to participate in the councils of our common country, as well as to enjoy and defend our free institutions from the polluting touch of aristocracy and despotism.

I respectfully recommend the appointment of a joint committee, from both houses of the Legislative Assembly, with instructions to investigate the state and condition of the several Banks in this Territory, and to make their reports during the present session. If the banking institutions have violated their charters, it should be known to the people of the Territory; and the proper steps taken to arrest a course so injurious to the best interests of the community. On the contrary, if they have acted in good faith, and not in violation of their banking privileges, it is important to their credit that it should be known to the public. It is a well established fact, that the banking corporations have it in their power, and do practice the most gross frauds upon the public, by expanding and contracting their issues of bank notes, as best suit the interests of bank stockholders; and frequently, by making excessive issues of their bank notes, when they have no means of redeeming them. From the present state of the currency of this Territory, it would seem that a just regard for the rights of the people, requires that their representatives should take such steps as will secure them a good currency, and you may rely on my co-operation in support of such measures as will aid in effecting that desirable object.

By an act of the Congress of the United States, approved June 12th

1838, there has been granted to this Territory and the future state of Wisconsin, for the purpose of aiding in the construction of a canal to unite the waters of Lake Michigan, at Milwaukee, with those of Rock River, alternate sections of land, five miles on each side thereof, containing one hundred and sixty-six thousand four hundred acres. From the liberal provision of this grant of land, it may be considered as the commencement of a system of internal improvement, under the fostering protection of the Government, which will have the most beneficial results in promoting the future welfare and prosperity of the people of Wisconsin, by opening a direct communication between the waters of Lake Michigan, with those of the Mississippi, by the Rock River, which is the most practicable southern route, passing through a fertile region of country, well adapted to agricultural purposes. The completion of the contemplated canal will be the means by which the products of the mining region of Wisconsin, can be more readily conveyed to the eastern markets, which now take a much longer and more circuitous route by the way of New Orleans.

By the 3d section of the act of Congress, making the appropriation for the Milwaukee and Rock River Canal, it is enacted that the alternate sections, and fractional sections of land which shall remain to the United States agreeable to the first section of the act, shall not be sold for a less sum than two dollars and fifty cents per acre, nor be subject to pre-emption. I recommend to the Legislative Assembly the propriety of memorializing Congress, asking the extension of the right of pre-emption to all actual settlers on the line of the canal, who would have been entitled to the benefit of a law passed at the last session of Congress, granting the right of pre-emption to the occupants on the public lands. I deem it an act of justice to the settlers on the line of the contemplated canal, that they should be placed on the same ground they would have occupied had they been located without the limits of the canal lands, and that the right of pre-emption should be granted them, at the minimum price of the public lands. When they made their settlements they no doubt believed they would participate in common with their fellow citizens in purchasing their homes at the Government price. They have had, in common with other settlers on the public lands, to encounter a series of harrassing difficulties, incident to the formation of new settlements; they have, by their energy and industry, enhanced the value of the lands of the United States in the immediate vicinity of the contemplated canal route; and are entitled, upon principles of justice as well as the usage of the Government, to the favorable consideration of Congress. It has been the policy of the Government to extend every possible indulgence heretofore, to the occupants of the National domain. This policy is wise and just. The Government lands should be sold to the settlers alone, graduating their price according to their value; we would then have a population, owners of the soil, attached to the republican institutions of our country. The desert itself in a few

years would become a fruitful field, and where the unsubdued forest now stands, we would see a free, enterprising population. Large tracts of country in this Territory have been purchased by individual speculators or by companies, who permit them to lay waste, until they will command the highest prices, thereby retarding the settlement of the Territory. The true value of the soil can only be explored by labor, and the public lands should cease to be an object of speculation when they are so much required for agricultural purposes.

I respectfully recommend to the Legislative Assembly, the propriety of memorializing Congress at an early day of their session, asking that the sum of two hundred and fifty thousand dollars might be appropriated for the construction of harbors and light-houses, at the most important points on Lake Michigan, where surveys have been made by the United States' Engineers, and favorably reported to the Government, showing their importance to the public and the practicability of their improvement. The rapidity with which the settlements on the lake shores advance, shows the commercial interest in that part of the Territory; and it has always been the established policy of the Government to afford every facility and protection to commerce by diminishing as much as possible the dangers of navigation in all parts of the country, to which our commerce is extended. The great increase of shipping upon Lake Michigan within the last two years, can be accounted for by the increased settlements formed on the lake border. From Chicago, in the State of Illinois, to the mouth of Green Bay, is a distance of about four hundred and fifty miles by water, yet there are no preparations for the safety of vessels on that shore; they are exposed to the winds and waves of the whole western coast of Lake Michigan, at the great risk of the lives and property of our citizens. From the increased commercial importance of the town of Milwaukee, and its location near the centre of the western shore of Lake Michigan, at the mouth of Milwaukee River, where nature has done much towards making a safe harbor, and is now the outlet of a great extent of fertile country, a part of which is now offered for sale by the Government, the United States' Engineer has estimated the whole cost of the harbor at the sum of ninety-two thousand one hundred and eighty-three dollars and fifty-one cents. That amount is surely a small sum for the construction of a harbor at that important point, which is so necessary for the protection of the lives, and the security of the property of our citizens. A large amount has already been received into the national treasury from the proceeds of the sales of the public lands on the shores of Lake Michigan, and the public lands are again offered for sale on the Lake border; and it would seem, if a just regard was paid to the rights of the people, and the interest of the Government, that a part of the proceeds of the sales of the public lands, should be appropriated by Congress for the construction of harbors and light-houses on the shores of Lake Michigan. The public lands would be enhanced greatly in value thereby.

and increased facilities afforded emigrants in the settlement of the lake country.

I respectfully recommend to the Legislative Assembly the propriety of memorializing Congress, asking a donation of one hundred and fifty thousand acres of land, to be sold, and the proceeds to be applied, under the direction of the Legislative Assembly, in such a manner as they may direct for the improvement of the Fox river of Green Bay, the Rock and Pekatoneca rivers, and connecting the waters of Rock river through the Four Lakes, with those of the Wisconsin river.— The improvement of the navigation of the Fox river and the Wisconsin river, at the Portage, a distance of one and one-fourth miles, would be the means of opening a direct northern communication between Lake Michigan and the Mississippi. The important results that would flow from the accomplishment of that work to the people residing on the borders of the Fox and Wisconsin rivers, must be apparent.— The rich and fertile country, bordering on these rivers, would be open to the enterprising emigrant. The people of the Upper Mississippi, and the extensive settlements which are now forming on Lake Michigan, and the settlers who occupy the intermediate country, would be alike benefited. A direct communication would be open to the Eastern markets for our lead and shot, manufactured near the Wisconsin river. The United States Engineer, charged with the survey of the Fox river, has made a favorable report to Government, as to the importance, and practicability of the navigation of that river. Steamboats have navigated the Wisconsin river, during the past and present seasons, without obstruction, as far as the Portage of the Wisconsin and Fox rivers. The canal, commenced two years since, to connect the waters of the Fox and Wisconsin rivers was suspended during the last season. The company, chartered for that purpose, have again resumed their operations this season, and the early completion of that important work may be expected. In my message to the Legislative Assembly in 1836, I called their attention to the important subject of Internal Improvements, and will now repeat what my views were at that time on the subject of connecting the waters of Rock river with those of Wisconsin. “The improvement of the navigation of the Rock river, I consider, a subject of vital importance to the future prosperity of this Territory. This river waters a large extent of fertile country; a small appropriation by Congress would be sufficient to remove the obstructions in its navigation. It is known, from the outlet of the Four Lakes that discharges itself into the Rock river, it is not more than twelve miles by land; and from the Fourth Lake, not more than sixteen miles to the Wisconsin river. Indians have frequently descended in canoes in high-water, from the Fourth Lake to the Wisconsin river. The great advantage of this inland communication must be apparent; it would greatly enhance the national domain in that part of the Territory, and increase the value of land purchased by individuals from the Government.”

The location of Madison, the capitol of Wisconsin, between the third and fourth lake, is the best evidence of the importance of this part of Wisconsin. The opening a direct water communication between the Rock and Wisconsin rivers, would be of the first importance to the growth and prosperity of Madison and the country adjacent.—The improvement of the navigation of the Fox, Rock and Pekatonica river, and the connected navigation of the Fox and Wisconsin rivers, and the uniting the waters of the Rock river with those of the Wisconsin, through the Four Lakes, is a subject of great interest and of vital importance to the future growth and prosperity of Wisconsin. The practicability of the improvement of the navigation of those rivers, by means of a small appropriation from Congress, will be readily admitted by all who are acquainted with, and have a minute knowledge of the country through which they pass.

I have proposed to the Legislative Assembly, to ask of Congress a donation in land, believing the Government would more readily appropriate land than money. From the extent of the grant of land made by the Government for opening the Milwaukee and Rock River Canal, I consider that donation of land as establishing a precedent that would have a favorable bearing, in the action of Congress, on that subject.—Should the representatives of the people devise a different plan to obtain these appropriations from Congress, for the completion of the important object I have briefly presented for their consideration, they will have my most hearty concurrence.

I respectfully recommend to the Legislative Assembly, the propriety of memorializing Congress, asking that the sum of one hundred thousand dollars, may be appropriated for the removal of the obstructions to the navigation of the Mississippi at the upper and lower rapids. This important work was commenced this season at a low stage of the river, and but little progress made towards its completion. The appropriations heretofore made by Congress have been entirely too small, considering the importance of this work. Twenty thousand dollars was the whole amount appropriated by Congress, at their last session, for the improvement of the navigation of the Mississippi, above the mouth of the Missouri. At the last session of Congress, the sum of seven millions six hundred and twenty-one thousand dollars was appropriated for the improvement of harbors and rivers, and the erection of works, for the security and protection of navigation. No appropriation was made by Congress for the construction of harbors and light-houses in this Territory. More than ten millions of pounds of lead is shipped annually over the Upper Mississippi Rapids, from the Lead Mines of Wisconsin. It is well known that the greater part of the supplies of every kind, for the inhabitants residing in the lead region of country, passes the rapids during the fall months, when the River is generally at its lowest stage. The inhabitants of the counties bordering on the Mississippi, in this Territory, are greatly interested in the removal of

the obstructions to navigation in the Upper Mississippi. The delay in lightening steam-boats, to enable them to pass the rapids at a low stage of the river, and the loss of property, is believed to be equal to fifteen per cent. this season on the whole amount shipped. It is not alone the people of this Territory, who are interested in the completion of this important work. The people of the Territory of Iowa and the State of Illinois are equally interested.

At the last session of Congress ten thousand dollars was appropriated for the construction of a Territorial Road from Milwaukee, by the way of Madison, to a point on the Mississippi in this Territory, opposite to Du Buque in the Territory of Iowa.

The sum of two thousand dollars was appropriated by Congress for surveying and marking the most eligible route for a Rail Road between Milwaukee and the Mississippi. The completion of a road from Lake Michigan to the Mississippi would be productive of the most beneficial effects, and the settlement of this Territory would be greatly facilitated; its agricultural, mineral and commercial resources would be better developed; and the transportation of the mails made more safe, which in the present state of the roads cannot be transmitted with expedition or regularity. A good road would greatly facilitate the march or movement of troops, and the transportation of the necessary munitions of war from our Lake border to our most exposed frontier on the Mississippi, should it become necessary, to meet a savage enemy.

I recommend, at the present session of the Legislative Assembly, the appointment of Commissioners, competent to revise the Laws of the Territory. A part of the laws of Michigan, since the organization of the Territorial Government of Wisconsin, have been repealed. At the last annual session of the Legislative Assembly more than one hundred laws, of a general and local nature, were enacted—many of them adopted from the codes of the different States of the Union—and from a failure in printing them at a proper time, the people have been compelled to remain in ignorance of the laws now in force.

By a resolution of the Legislative Assembly, a part of the Michigan laws were ordered to be printed and distributed throughout the Territory. This portion would have embraced the most important laws from the Michigan Statutes now in force. It will require professional men of legal attainments, to revise the laws, and a liberal compensation should be made them, to obtain that description of legal talent necessary for the discharge of the arduous and responsible duties that would devolve upon them.

At the close of the adjourned session of the Legislative Assembly, a contract was made, by a committee appointed for the printing of the laws and resolutions, passed at the annual sessions of the Legislative Assemblies of 1836–7–8, and the laws passed at the adjourned session in 1838, with certain other acts selected from those now in force, contained in a resolution of the Legislative Assem-

bly, approved the 19th of January, 1838. The laws, by contract were to be printed in one volume, and fifteen hundred copies were to be delivered to the agent of the Legislative Assembly within seventy days from the 30th June last. I recommend the appointment of an agent on the part of this Territory, with instructions to repair to Burlington, the present seat of Government for the Territory of Iowa, to receive the laws of this Territory, if printed, that they may be distributed in such a manner as the Legislative Assembly may direct.

I respectfully invite the attention of the Legislative Assembly to the claims of the miners in the Lead Mine region, on the justice and liberality of the Government in extending to them the right of pre-emption in the purchase of their mineral lots. I will repeat at this time my views on that subject, as delivered in my message to the Legislative Assembly in 1836. "I would suggest the propriety of memorializing Congress, as to the justice of granting to all the miners, who have obtained the ownership of mineral grounds under the regulations of the superintendent of the United States' lead mines, either by discovery or purchase, the right of pre-emption in the purchase of their mineral lots at the minimum price of the public lands. By the persevering industry of the miners the lead mines have greatly increased in value. They have been, in war, many of them, the brave defenders of the mining region of country. They were invited by the Government, through her agents, to explore and work the United States' mines.— That meritorious class of the community have strong claims on the justice and liberality of the Government, that I trust will not be withheld from them. By selling the United States' lead mines without a reservation securing the rights of the miners, they would be deprived of valuable mineral grounds, that they have exercised ownership over for years. They will not be able to compete with speculators, whose object will be to monopolize all the mineral grounds in this extensive lead region of country."

Important treaties have been made during the last year with the Chippeway, Sioux and Winnebago Indians, by which extensive districts of country have been ceded to the United States, which is of the first importance to the growth and prosperity of Wisconsin, as well as for the peace and safety of our exposed and extensive frontier. The proximity of the Winnebago Indians to our border settlements, made the extinguishment of their title to the country east of the Mississippi, and their removal west of that river, of the first importance. It will relieve the frontier settlers from the intrusion of the Indians, and be the means of benefiting the Indians themselves, by removing them from near our settlements. The amount now paid by the U. States in annuities to the Chippeway, Sioux and Winnebago Indians, will have a salutary effect in restraining them from committing acts of hostility on our border settlements, knowing that a violation of their treaty stipulations would be the means of forfeiting their annuities, upon which they place great reliance.

I would respectfully recommend to the Legislative Assembly, the propriety of memorializing Congress, asking an appropriation to extinguish the title of the Menomonee Indians to their country bordering on the Fox River, from the mouth of Wolf River to the Portage of the Fox and Wisconsin Rivers. The United States would then own the whole extent of the country bordering on both sides of the Fox river, which would facilitate the improvement of the navigation of that river; and the Indian title would be extinguished to a valuable tract of country that would admit of a dense settlement.

I respectfully recommend the early action of the Legislative Assembly in dividing the Territory into three Judicial Districts, and the assignment of the Judges to their respective Judicial Districts.

The formation of three Judicial Districts in this Territory, in the place of two, will produce a change of time in holding the terms of the several courts. The due administration of justice requires the early organization of the Judicial Districts in this Territory. The lives, liberty, and property of all classes of the community depends on the due, speedy and impartial administration of the laws.

At the last annual session, I recommended to the Legislative Assembly the propriety of addressing a memorial to the War Department of the Government, asking a supply of arms for the use of the volunteer companies, and for the militia of this Territory. In a communication, addressed by the Secretary of War to our delegate in Congress, informing him that he had enclosed him a report of the Colonel of Ordinance, on so much of the memorial of the citizens of Wisconsin, as relates to the supply of arms they desire may be furnished the Territory, the Secretary of War states as follows:—"This department will cause the necessary armament to be deposited at posts convenient to the Territory, subject to the orders of the Government in case of emergency."

At the last annual session of the Legislative Assembly, the laws, generally, for the government of the militia were repealed, and from a failure in printing them, I deemed it unnecessary to order a muster of the militia this fall, as Courts Martial, for the trial of delinquents, could not act, without law for their government.

After the delivery of the message, the Governor and Council retired from the Representative Hall.

A motion was then made by Mr. Sholes, that fifteen hundred copies of the Governor's Message be printed for the use of the House, which motion was amended by Mr. Childs, by striking out 1500, and inserting 1000.

The motion, as amended, was agreed to.

On motion of Mr. Childs,

The House adjourned to 3 o'clock, P. M.

3 O'CLOCK, P. M.

On motion of Mr. Billings,

Ordered, That the Chief Clerk procure, to be printed, fifty copies of each day's proceedings of this House, for the use of its members.

On motion of Mr. Childs,

Resolved, That a committee of two be appointed to wait on the Secretary of this Territory, and ascertain of him what progress has been made in the printing of the Laws of the previous sessions, and to lay before this House any communications which he may have received from the contractor to print the Laws; and also to ascertain if the Secretary has provided stationery, &c., for the Legislative Assembly, and what progress has been made in the engraving of the Maps of Wisconsin, ordered at the previous session.

Messrs. Childs and Story were appointed the said committee.

Mr. Childs, from the committee appointed to ascertain what progress has been made in the printing of the Laws, &c., reported, that they had called upon the Secretary, and that they had been informed by him, that he would submit to the House a communication on the subject referred to, in a few minutes.

The Speaker laid before the House communications from the Secretary relating to stationery and maps for the use of the Legislative Assembly, and enclosing a letter from James G. Edwards, in relation to the printing of the Laws passed at the previous sessions. (See Appendix,) "*Document A.*"

The report of the committee was accepted, and the committee discharged.

Mr. Sutherland, from the committee appointed to examine the Public Buildings, at this place, and report their present condition, together with the probable accommodations to be furnished the members of the Legislative Assembly, having had the subject under consideration, submitted the following report:

That they find the Capitol in an unfinished state, and not in a situation to be occupied at the present time; but have the assurance of the commissioner, (Mr. Bird,) that the Representatives' Hall, and Council Chamber, will be in readiness on to-morrow for the Legislative Assembly; but we find no committee rooms prepared.

We also have the assurance of the keepers of the three public houses, that they are partially now, and will during the present week be fully prepared to accommodate the members of the Legislative Assembly with board, rooms, &c., to wit: At the Madison House, two rooms that will accommodate six persons—at the Madison Hotel, two rooms that will accommodate four persons each—and at the American Hotel, eight rooms, sufficient to accommodate twenty-six persons.

But we cannot ascertain that more than fifty persons can be accommodated with sufficient rooms for the transaction of business.

We find also, upon enquiry of the Secretary of the Territory, that there is no stationery in this place, but that a supply is expected soon.

The committee therefore, are of opinion that the accommodations are not such as are required for the proper despatch of the business which may come before the Legislative Assembly during the present session.

The report was accepted, and the committee discharged.

On motion of Mr. Carver.

The House adjourned to 7 o'clock, P. M.

7 O'CLOCK, P. M.

The following communication was received from the Secretary of the Territory, together with a copy of the Laws

SECRETARY'S OFFICE,
Nov. 27, 1838. }

To the Hon. the Speaker of the House of Representatives.

Sir—I have the honor herewith to present through you, to the body over which you preside, the printed copy of the Laws, referred to in my communication of to-day. I have the honor to be, &c.

W. B. SLAUGHTER,
Sec. Wis. Ter.

Mr. Sholes moved the adoption of the following preamble and resolution :

Whereas, it appears from the report of the committees appointed by the Council and House of Representatives, (which report has been adopted by this House,) that suitable accommodations cannot be had at present in this place for the members and officers of the Legislative Assembly ; Therefore,

Resolved, (if the Council concur,) That the Legislative Assembly adjourn on to-morrow at 12 o'clock, meridian, to meet again at on the Monday of next.

Mr. Cruson called for the yeas and nays, which being taken, were as follow :

Yeas :—Messrs. Barber, Beardsley, Childs, Conroe, Churchill, Carver, Newman, Sholes, Shackelford, Shew, Skinner, Story, Stevens and Whiton—14.

Nays :—Messrs. Baldwin, Blackstone, Billings, Cruson, Dewey, Hoyt, Jenkins, McGregor, Street and Sutherland—10.

So the preamble and resolution were adopted.

Mr. Shackelford moved to fill the first blank in the said resolution with Madison.

Mr. Childs called for the ayes and nays, which being taken were as follow :

Yeas :—Messrs. Baldwin, Blackstone, Billings, Cruson, Carver,

Dewey, Hoyt, Jenkins, McGregor, Shackelford, Sutherland and Street—12.

Nays.—Messrs. Barber, Beardsley, Childs, Conroe, Churchill, Newman, Sholes, Shew, Skinner, Story, Stevens and Whiton—12.

So the motion was lost.

Mr. Sholes moved to fill the first blank with Green Bay.

The yeas and nays, being called for, were as follow :

Yeas —Messrs. Childs, Conroe, Carver, Dewey, Sholes, Shackelford and Street—7.

Nays.—Messrs. Barber, Beardsley, Baldwin, Blackstone, Billings, Churchill, Cruson, Hoyt, Jenkins, Newman, Shew, Skinner, Story, Stevens, Sutherland and Whiton—16.

A motion was then made by Mr. Billings, that the House do now adjourn to meet to-morrow at 10 o'clock, A. M., in the Hall of the Capitol.

Mr. Sholes called for the yeas and nays, which being taken were as follow .

Yeas —Messrs. Beardsley, Baldwin, Blackstone, Billings, Cruson, Carver, Dewey, Hoyt, Jenkins, McGregor, Newman, Sutherland and Street—13.

Nays:—Messrs. Barber, Childs, Conroe, Churchill, Sholes, Shackelford, Shew, Skinner, Story, Stevens and Whiton—11.

So the House adjourned.

Wednesday, November 28, 1838.

The House met pursuant to adjournment, and the journal of yesterday was read and corrected.

Mr. Shackelford moved the reconsideration of the following preamble and resolution, adopted on yesterday :

Whereas, it appears from the report of the committees, appointed by the Council and House of Representatives, (which report has been adopted by this House,) that suitable accommodations cannot be had at present in this place for the members and officers of the Legislative Assembly ; Therefore,

Resolved, (if the Council concur,) That the Legislative Assembly adjourn on to-morrow at 12 o'clock, meridian, to meet again at on the Monday of next.

Mr. Sholes called for the yeas and nays on the said motion, which were ordered, and were as follow :

Yeas :—Messrs. Beardsley, Billings, Carver, Dewey, Hoyt, Jenkins, McGregor, Shackelford, Sutherland and Street—10.

Nays —Messrs. Barber, Baldwin, Childs, Conroe, Churchill, Crutson, Newman, Sholes, Shew, Skinner, Story, Stevens, Whiton and Blackstone, Speaker—14.

Mr. Story moved that the first blank in said resolution be now filled with "Milwaukee."

Mr. Shackelford moved that the filling of the blanks, in said resolution, be indefinitely postponed.

Which motion was decided in the affirmative.

A division being called for, there were,

Yeas 12. Nays 11.

On motion of Mr. Barber,

Resolved, That the United States' Officers of the Territory, be invited to take seats within the bar of this House, at pleasure.

Mr. Sholes offered the following resolution .

Resolved, That J. A. Noonan, Editor of the Madison Enquirer, be privileged to take a seat within the bar of this House, at pleasure.

Mr. Childs moved that the resolution be amended, so as to extend to all the Editors of Newspapers in this Territory, which was agreed to.

The resolution, as amended, was passed.

On motion of Mr. Childs,

Resolved, That a committee of five be appointed to draft rules and regulations for the government of this House.

Messrs. Childs, Shackelford, Sutherland, Story and Sholes, were appointed the said committee.

On motion of Mr. Whiton,

Ordered, That a committee of two be appointed by this House, to act in conjunction with a committee to be appointed by the Council, to draft joint rules and orders for the government of the two Houses.

Messrs. Whiton and Barber were appointed the said committee, on the part of this House.

Ordered, That the Clerk acquaint the Council therewith.

Mr. Barber offered the following resolution :

Resolved, That J. A. Noonan be employed to do the incidental printing of this House during its present session at this place.

Which, being seconded by Mr. Street, was unanimously adopted.

On motion of Mr. Childs,

The House adjourned.

Thursday, November 29, 1838.

On motion of Mr. Conroe,

Resolved, That each member of this House be at liberty to order, for his use, at the expense of the Territory, any number of copies, not exceeding twenty, each week, during the session, of any newspaper published in the Territory.

The Secretary of the Council being introduced, delivered the following message :

"Mr. Speaker,—The Council have appointed Messrs. Irwin and Maxwell, a committee on their part, to act in conjunction with a committee to be appointed by this House, to report a set of joint rules for the government of the Legislative Assembly during its present session ; and also, rules for the regulation of the Territorial Library—in which they request the concurrence of this House.

"They have indefinitely postponed the preamble and resolution from this House, relative to the adjournment of the Legislative Assembly ; and have elected Mr. William Bullen, of Racine, President of their body."

And then he withdrew.

Mr. Whiton, from the committee appointed by the House, to act in conjunction with a similar committee appointed by the Council, for the purpose of drafting joint rules and orders for the two Houses,

Reported, That they, in conjunction with the committee of the Council, have had the subject under consideration, and have agreed to report to the two Houses the joint rules and orders adopted by the Legislative Assembly at their last regular session, without amendment ; a copy of which is herewith submitted.

The report was unanimously adopted.

JOINT RULES AND ORDERS OF THE TWO HOUSES.

1st. In every case an amendment of a bill agreed to in one House and dissented to in the other, if either House shall request a conference and appoint a committee for that purpose, and the other House shall also appoint a committee to confer, such committee shall at a convenient hour, to be agreed on by their chairman, meet in the conference chamber, and state to each other verbally, or in writing, as either shall choose, the reasons of their respective Houses for or against the amendment, and confer freely thereon.

2nd. When a message shall be sent from the Council to the House

of Representatives, it shall be announced at the door of the House by the Door-keeper, and shall be respectfully communicated to the Chair, by the person by whom it may be sent.

3d. The same ceremony shall be observed when a message shall be sent from the House of Representatives to the Council.

4th. Messages shall be sent by such persons as sense of propriety in each House may determine to be proper.

5th. After a bill shall have passed the Houses, it shall be duly enrolled by one of the Transcribing Clerks, under the direction of the Chief Clerk of the House of Representatives, or Secretary of the Council, as the bill may have originated in one or the other House, before it shall be presented to the Governor of the Territory.

6th. When bills are enroled, they shall be examined by a joint committee of two from the Council, and two from the House of Representatives, appointed for that purpose, who shall carefully compare the enrolment with the engrossed bills, as passed in the two Houses, and correcting any errors that may be discovered in the enroled bills, make their reports forthwith to the respective Houses.

7th. After examination and report, each bill shall be signed in the respective Houses, first by the Speaker of the House of Representatives, then by the President of the Council.

8th. After a bill shall have been thus signed in each House, it shall be presented by the said committee to the Governor of the Territory for his approval, it being first endorsed on the back of the roll, certifying in which House the same originated, which endorsement shall be signed by the Chief Clerk of the House or the Secretary of the Council, as the bill may have originated in the one or the other House; the said committee shall report the day of presentation to the Governor, which shall be entered on the journal of each House.

9th. All orders, resolutions and votes, which are to be presented to the Governor for his approval, shall also, in the same manner, be previously enroled, examined and signed; and shall be presented in the same manner, and by the same committee, as provided in cases of bills.

10th. When a bill or resolution, which shall have passed in one House, is rejected in the other, notice thereof is to be given to the House in which the same may have passed.

11th. When a bill or resolution, which has been passed in one House, is rejected in the other, it is not to be again brought in during the same session, without notice of five days, and leave of two-thirds of the House, in which it shall be renewed.

12th. Each House shall transmit to the other all papers on which any bill or resolution shall be founded.

13th. After each House shall have adhered to their disagreement, a bill or resolution is lost.

14th. No bill that shall have passed one House shall be sent to the other for concurrence on the last day of the session.

15th. No bill or resolution, that shall have passed the Council and House of Representatives, shall be presented to the Governor for his approval on the last day of the session.

On motion of Mr. Childs,

Ordered, That J. A. Noonan be employed to print fifty copies of the joint rules and orders, for the use of this House.

On motion of Mr. Carver,

The House proceeded to the election of Speaker by ballot.

Messrs. Childs and Billings were appointed tellers.

The votes were then taken, and on being canvassed by the tellers, it appeared that

Mr. Whiton had received twelve votes ;

Mr. Blackstone had received nine votes ;

Mr. Barber had received two votes ; and

Mr. Beardsley had received one vote.

There being no election,

On motion of Mr. Sholes,

The House proceeded to a second ballot.

The votes being taken and counted, it was found that

Mr. Whiton had received eleven votes ;

Mr. Blackstone had received ten votes ; and

Mr. Barber had received two votes.

On motion of Mr. Sholes,

Ordered, That the election of Speaker be postponed until 3 o'clock, P. M.

On motion of Mr. Shackelford,

Ordered. That the House now proceed to the election of Chief Clerk by ballot.

On motion of Mr. Barber,

Messrs. Childs and Billings were appointed to act as tellers, until all the officers of the House should be elected.

The votes being taken and counted, it appeared that John Catlin had received twenty-four votes, and was declared to be unanimously elected Chief Clerk.

On motion of Mr. Shackelford,

Ordered, That the House now proceed to elect an Assistant Clerk.

The votes being taken and counted, it was found that A. W. Wright had received twenty-two votes ; and that

T. Charles Morgan had received one vote.

A. W. Wright was, thereupon, declared to be duly elected.

On motion of Mr. Whiton,

Ordered, That the House proceed to the election of three Transcribing Clerks, all to be elected at one ballot.

The votes being taken and counted, it appeared that

P. B. Grignon received twenty-three votes ;

Clovis A. Lagrave received twenty-two votes ;

George Bachelder received twenty-four votes, and
T. Charles Morgan received three votes.

Messrs. Grignon, Lagrave, and Bachelder, were declared to be duly
elected.

On motion of Mr. Dewey,

Ordered, That the House proceed to elect a Sergeant-at-Arms.

The votes being taken and counted, it was found that Thomas Mor-
man had twenty-one votes; T. Charles Morgan had two votes; and
blank one vote.

On motion of Mr. Barber,

Ordered, That the House do now proceed to elect, at one ballot, a
Messenger and Assistant Messenger, Door-keeper and Assistant Door-
keeper, and Fireman.

The votes being taken and counted, the following was the result :

Silas H. Rice received twenty-three votes for the office of Messen-
ger; T. Charles Morgan received for the same office one vote.

T. Charles Morgan received for the office of Assistant Messenger
twenty-three votes; Silas H. Rice received for the same office one
vote.

George McIntire received for the office of Door-keeper twenty-three
votes; John Bracken received for the same office one vote.

John Bracken received for the office of Assistant Door-keeper nine-
teen votes; James Irvin received for the same office four votes; and
George McIntire received for the same office one vote.

Robert H. Hotchkiss received for the office of Fireman twenty-four
votes.

Thereupon, Silas H. Rice was declared to be elected Messenger,
and T. C. Morgan, Assistant Messenger.

George McIntire, Door-keeper; John Bracken, Assistant Door-
keeper; and Robert H. Hotchkiss, Fireman.

On motion of Mr. Whiton,

The Chief Clerk, Assistant Clerk, and the three Transcribing Clerks,
elected by this House, appeared at the Clerk's table, and severally took
an oath for the true and faithful discharge of their respective duties in
office.

On motion of Mr. Whiton,

Messrs. Mormon, Rice, Morgan, McIntire, and Bracken appeared
at the Clerk's table, and severally took an oath faithfully to discharge
the duties of the several offices to which they had been elected.

On motion of Mr. Sholes,

The House adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

On motion of Mr. Childs,

The House concurred in so much of the Message, received from the
Council to-day, as relates to the drafting rules for the regulation of the

Territorial Library, and appointed Messrs. Whiton and Barber the committee on the part of the House.

Ordered, That the Clerk acquaint the Council therewith.

On motion of Mr. Sholes,

The House proceeded to the election of Speaker.

The ballots being taken and canvassed, it appeared that

Mr. Whiton received nine votes ;

Mr. Blackstone received eleven votes ;

Mr. Barber received three votes ; and

Mr. Beardsley received one vote.

There being no election,

The House, on motion of Mr. Sholes, proceeded to a further ballot, which resulted as follow :

Mr. Whiton received six votes ;

Mr. Blackstone received eleven votes ;

Mr. Barber received four votes ;

Mr. Beardsley received three votes.

There being no election,

The House, on motion of Mr. Billings, proceeded to ballot a fifth time, with the following result :

Mr. Blackstone received ten votes ;

“ Barber received eight votes ;

“ Whiton received four votes, and

“ Beardsley received two votes.

No election.

A motion was then made by Mr. Childs, and seconded by Mr. Billings, that the election of Speaker be postponed until Monday next at 10 o'clock, A. M.

Which motion was decided in the negative.

The House then, on motion of Mr. Story, proceeded to ballot the sixth time, and the votes being counted, it appeared that

Mr. Blackstone received eleven votes ;

“ Barber received eight votes ;

“ Whiton received two votes ;

“ Beardsley received two votes, and

“ Story received one vote.

There being no election, the House,

On motion of Mr. Conroe, proceeded to ballot the seventh time.

The ballot being taken, it was found that

Mr. Blackstone had received thirteen votes ;

“ Whiton had received seven votes ;

“ Barber had received one vote ;

“ Beardsley had received one vote ;

“ Story had received one vote, and

“ Baldwin had received one vote.

Mr. Blackstone was thereupon declared to be duly elected Speaker.

The Speaker, having been conducted to the chair, addressed the House as follows :

Gentlemen,—Selected by you to preside over your deliberations at this important session, I should do injustice to my feelings, were I not to acknowledge the diffidence I feel in my ability to perform the duties of the office of Speaker of this House to your satisfaction. Knowing the many important subjects which require the attention of the present Legislature, and the excitement necessarily consequent upon their discussion, I cannot but feel that you require a presiding officer of more experience, and better acquainted with parliamentary proceedings than myself ; but relying upon your indulgence, and trusting that whatever errors I may commit in the discharge of my duties will be attributed to my inexperience, I accept the trust reposed in me, and return you my best acknowledgments for this mark of your confidence.

On motion of Mr. Childs,

The House adjourned.

Friday, November 30, 1838.

Mr. Sutherland presented petitions from the inhabitants of Green county, praying for commissioners to be appointed to locate the seat of justice of Green county.

Referred to the following select committee, with instructions to report by bill or otherwise, viz :

Messrs. Sutherland, Barber and Hoyt.

On motion of Mr. Barber,

Resolved, That the Sergeant-at-Arms of this House be, and he is hereby authorised to contract for, and procure the necessary fuel to be used in the Representatives Hall ; to have the same cut in lengths suited to the fire places therein ; and to procure such other articles as may be necessary to enable the officers of this House to discharge their respective duties.

Mr. Billings offered the following resolutions, which were ordered to lay on the table until to-morrow.

Resolved, That so much of the Governor's Message as refers to memorializing Congress, so far to alter the Organic Act, as to change the term of the members of the Council and House of Representatives from four to two, and from two to one year, be referred to a select committee.

Resolved, That so much as refers to an application to Congress for

the admission of Wisconsin, as a State, be referred to a select committee.

Resolved, That so much as refers to appropriating the Taxes, arising from the non-resident lands, to raise a School Fund, be referred to the committee on Schools.

Resolved, That so much as refers to the examination of the Banks and currency of Wisconsin, be referred to the committee on Corporations.

Resolved, That so much as refers to petitioning Congress for a grant of lands, for internal improvements, as well as so much as refers to grants already made, be referred to the committee on Internal Improvements.

Resolved, That so much as refers to the revision of the Laws be referred to the committee on the Judiciary.

Resolved, That so much as refers to the printing and distribution of the laws, be referred to the committee on Expenses.

Resolved, That so much as refers to the granting of pre-emption rights to Miners, be referred to the committee on Claims.

Resolved, That so much as refers to the dividing the Territory into Judicial Districts, and changing the term of holding Courts, be referred to the committee on the Judiciary.

Resolved, That so much as refers to the memorial for arms, and the organization of the militia, be referred to the committee on the Militia.

Mr. Sholes offered the following resolutions, which were, by special order of the House, read the first, second, and third time, and passed.

Resolved. By the Council and House of Representatives of Wisconsin Territory, that the Postmaster at this place be authorized, and requested to employ the contractor on the mail route between Madison and Milwaukee, to carry the mail once a week extra, between the aforesaid places, during the present session of the Legislative Assembly. The compensation for this service not to exceed twenty dollars per week.

Resolved, further, If the Council concur, that the Legislative Assembly of this Territory do hereby undertake to secure the said Postmaster from loss in so doing; and if the Postmaster-General shall refuse to allow a reasonable compensation for performing this service, that the same be paid out of any money appropriated by Congress to defray the expenses of the Legislature of Wisconsin.

Resolved, further, That the Chief Clerk of this House be required to forward to the Postmaster General a copy of these resolutions.

Ordered, That the Clerk request the concurrence of the Council therein.

On motion of Mr. Street,

Resolved, That a committee of two be appointed to call on the Secretary of the Territory, and request him to procure suitable maps of the Territory, for the use of this House, during its present session, and report as soon as practicable.

On motion of Mr. Childs,

Resolved, That a committee of arrangements be appointed, to consist of three, whose duty it shall be to procure committee rooms, for our transcribing clerks, stationery, and other articles which may be necessary for the use of this House.

Messrs. Childs, McGregor and Stevens, were appointed said committee.

Mr. Childs from the select committee, appointed to draft rules and regulations for the House, made the following report :

That they have agreed to propose to the House, for their adoption, the rules and regulations of the last annual session, with some slight amendments, to wit :

After the caption, on the 19th page of the Journal of the last annual session, they have inserted the words "after the reading of the Journal, the order of business shall be as follows, to wit ." And have also inserted the word "Letters" before the word "Petitions" in the third line of the same page.

On the 20th page, rule VI., they have added, after the word "debate," "except it cannot be received when the House is voting on another question, nor while a member is addressing the House."

On the same page, Rule IX., they have stricken out the words, "in such case or."

On the same page, Rule XI., they have inserted after the word "postpone," the words "to lay on the table."

On page 24, Rule XXXVII., they have adopted the word "noes" instead of "nays," and have stricken out the words "if required."

On page 24, Rule XLI., insert, as additional standing committees, a "Committee on Roads" and "on Engrossed Bills."

All of which is respectfully submitted to the consideration of this House.

On motion of Mr. Sholes,

The report of the committee was unanimously adopted.

REGULATIONS FOR THE DAILY TRANSACTION OF BUSINESS.

After the reading of the Journal, the order of business shall be as follow, to wit :

1st.—Letters, Petitions, Memorials, Remonstrances, and accompanying documents may be presented and referred.

2d.—Original resolutions may be offered.

3d.—Reports of Committees, Standing Committees having precedence to Select Committees.

4th.—No more than one hour in each day, shall be devoted to the foregoing objects, after which the Speaker shall dispose of the bills, messages and communications on his table, and then proceed to the orders of the day.

5th.—Bills and Resolutions ready for a second reading.

6th.—Bills on their passage.

7th.—Bills or other matter before the House and unfinished the preceding day.

8th.—These matters being despatched for expediting business, the general file of bills and other papers are then taken up, agreeably to their first introduction to the House.

STANDING RULES.

I. The House of Representatives shall choose, by ballot, one of their own number to occupy the chair. He shall be styled Speaker of the House of Representatives. He shall hold his office during one session of the Legislative Assembly. He shall take the Chair at the hour to which the House is adjourned, and call the members to order; and, if a quorum be present, he shall direct the minutes of the preceding day to be read, and mistakes, if any, corrected. He shall preserve order and decorum, and shall decide questions of order, subject to an appeal to the House. In committee of the whole, he shall call some member to the Chair, and may debate any question before the Committee: but such substitution shall not extend beyond an adjournment.—He shall, unless otherwise directed by the House, appoint all Committees. He shall vote on a call of the yeas and nays. In the absence of the Speaker, the House shall appoint a Speaker, pro tem.

II. Any member may have a call of the House, and have absent members sent for, in case a quorum should not be present.

III. All questions shall be put in this form "You who are of the opinion (as the case may be) say, Aye." "Those of the contrary opinion say, No;" and in doubtful cases, any member may call for a division.

IV. When a motion is made and seconded, it shall be stated by the member, or read by the Clerk previous to debate. If any member require it, all motions (except to adjourn, postpone or commit) shall be reduced to writing. Any motion may be withdrawn by consent of the House, before decision or amendment.

V. Every member present, when a question is put, shall vote, unless the House shall for special cause, excuse him.

VI. A motion to adjourn shall always be in order, and shall be decided without debate, except that it cannot be received when the House is voting on another question, or while a member is addressing the House.

VII. When any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat and respectfully address himself to "Mr. Speaker," and shall confine himself to the question under debate and avoid personality.

VIII. When two or more members happen to rise at once, the Speaker shall name the member who is first to speak.

IX. Whilst the Speaker is putting any question, or addressing the House, none shall walk out of, or across the House, nor when a member is speaking, shall pass between him and the Chair.

X. No member shall speak more than twice on any question, without leave of the House.

XI. When a question is under debate, no motion shall be received, unless to postpone, to lay on the table, to amend, to take the previous question, to commit, or to adjourn.

XII. The previous question shall be put in these words: "Shall the main question be now put?" and it shall be admitted on the demand of any member, and until decided shall preclude all amendments under debate, of the main question.

XIII. Any member may call for a division of the question, when the same will admit thereof.

XIV. No committee shall absent themselves by reason of their appointments, during the sitting of the House, without special leave.

XV. Every bill shall be introduced by motion for leave, or by order of the House on the report of a committee. In cases of a general nature, one day's notice at least shall be given of the motion to bring in a bill.

XVI. Every bill shall receive three several readings previous to its passage; but no bill shall have its second and third reading on the same day, without special order of the House.

XVII. The first reading of a bill shall be for information, and if objections be made to it, the question shall be, "Shall the bill be rejected?" If no objection be made, or the question to reject be lost, the bill shall go to its second reading without further question.

XVIII. All bills, on a second reading, shall be considered by the House, in committee of the Whole, before it shall be taken up and considered by the House. The final question upon every bill, or resolution that requires three readings, previous to being passed, shall be, "Whether it shall be engrossed and read a third time?" No bill or resolution, that requires three readings, shall be committed or amended, until it shall have been twice read.

XIX. Amendments, made in committee of the Whole, shall not be read by the Speaker on his resuming the chair, unless requested by one or more of the members.

XX. When a question is lost on engrossing a bill for a third reading, on a particular day, it shall not preclude a question to engross it for a third reading on a different day; nor shall any subject be a second time reconsidered without the consent of the House. On the third reading of a bill or resolution, no amendment (except to fill blanks) shall be received, except by unanimous consent of the members present.

XXI. When a bill has been engrossed, the Speaker shall, at the time previously appointed by the House, announce it as ready for a third reading, without a question.

XXII. A bill or resolution may be committed at any time previous

to its passage; if any amendment be reported upon such commitment; by any other than a committee of the whole, the bill shall again be read a second time, and considered as in committee of the whole, and the question for its engrossment and third reading again put.

XXIII. In filling blanks, the largest sum and longest time shall be first put.

XXIV. When the House is equally divided, in such case the question shall be lost.

XXV. When a motion or question has been once made, and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the re-consideration thereof, on the same or succeeding day.

XXVI. All acts, addresses, and resolutions, shall be signed by the Speaker, and all writs, warrants, and subpoenas, issued by order of the House, shall be under his hand and seal, and attested by the Clerk.

XXVII. Petitions, memorials, and other papers, addressed to the House, shall be presented by any member in his place: a brief statement of the contents thereof shall be made verbally by the member introducing the same; and shall not be debated or decided on the day of their being first read, unless where the House shall direct otherwise; but shall lie on the table (to be taken up in the order they were read) or referred, on motion, to a committee.

XXVIII. After a bill shall have passed the House, and before it shall be sent to the Council, it shall be duly enroled; after which it shall be examined by a standing committee for that purpose, who shall carefully compare the enrolment with the engrossed bill, and correcting any errors that may be discovered in the enroled bill, shall make their report forthwith to the House.

XXIX. After examination and report, each bill shall be certified by the Clerk, and by him transmitted to the Council: the day of transmission shall be entered on the journal.

XXX. A Chief Clerk, an Assistant Clerk, and three transcribing Clerks shall be appointed by ballot, to hold their places during the pleasure of the House. They shall take an oath for the true and faithful discharge of their respective duties in office. The Chief Clerk, with the aid of his assistant, shall keep a correct journal of the daily proceedings; shall keep a calender of the order of business, and perform other duties appertaining to his office under the direction of the Speaker. He shall let no journal, records, accounts, or papers, be taken from the table or out of his custody, other than by the regular mode of business of the House; and if any papers in his charge shall be missing, he shall make report to the Speaker that it may be inquired into. The transcribing Clerks shall record the journal of proceedings, engross, enrol, transcribe, and copy bills and resolutions, and generally perform the duties of transcribing Clerks, under the direction of the Clerk of the House.

XXXI. A sergeant-at-Arms, Door-Keeper, Assistant Door-Keeper, Messenger, and Assistant Messenger, shall be appointed, by ballot, to hold their offices during the pleasure of the House, whose duty it shall be to attend the House during its sitting, and to execute the commands of the Speaker and the House. They shall take an oath truly and faithfully to discharge their respective duties in office.

XXXII. When a message shall be sent from the Governor to the House, it shall be communicated to the Chair, by the person by whom it may be sent.

XXXIII. No person shall be elected to any office created by these rules, unless he shall receive a majority of the whole number of votes given by the members of the House.

XXXIV. No member or officer of the House shall be permitted to read newspapers within the bar of the House, while the House is in session.

XXXV. The Speaker of the House is authorized and required to administer all oaths prescribed by these rules.

XXXVI. Every resolution read (by the Clerk) by direction of a member shall be considered to be before the House. And the question to adopt or reject, may be immediately put on such resolution, unless upon motion of a member, the same be laid on the table.

XXXVII. It shall be competent for any member, when a question is taken, to call for the ayes and noes, which shall be recorded by the Clerk.

XXXVIII. No standing rule or order of the House shall be rescinded or changed, without one day's notice being given of the motion therefor. Nor shall any rule be suspended except by a vote of at least two-thirds of the members present. Nor shall the order of business, as established by the rules of the House, be postponed or changed, except by a vote of at least two-thirds of the members present.

XXXIX. All bills brought into the House by any member or committee, shall be endorsed with the name of the member or committee, bringing in the same.

XL. When a member is called to order, he shall sit down until the Speaker shall have determined whether he is in order or not, and every question of order shall be decided by the Speaker, subject to an appeal to the House by any two members; and if a member be called to order for words spoken, the exceptionable words shall be immediately taken down in writing, that the Speaker and House may be better enabled to judge of the matter.

XLI. The Standing Committees of the House shall consist of five members each, and be as follows:

On the Judiciary.

On Schools.

On Internal Improvements.

On the Militia.

On Finances of the Territory.

On Corporations.

On Claims.

On Enrolled Bills.

On Expenses.

On Agriculture and Manufactures.

On Engrossed Bills.

On Roads.

On Territorial Affairs.

XLII. The stated time of meeting for the transaction of business, shall be at 10 o'clock, A. M.

The Secretary of the Council being introduced, delivered the following message :

"Mr. Speaker,—The Council have adopted the report of the joint committee to propose rules and orders for the government of the two Houses of the Legislative Assembly, and also, rules and regulations for the Territorial Library; and have passed a resolution relative to the employment of a printer, to execute the incidental printing of the Legislative Assembly, in which resolution I am directed to ask the concurrence of this House."

And then he withdrew.

Mr. Whiton, from the joint committee, appointed to draft rules and regulations for the Territorial Library, made the following report :

Your committee, in conjunction with the committee from the Council, have had the same under consideration, and have agreed to report to this House the rules and regulations adopted by the Legislature at their session in 1837, with the following amendments, to wit :

In rule 1st, strike out "the town of Burlington," and insert "Madison, the seat of Government."

The report was adopted, and the committee discharged.

RULES AND REGULATIONS OF THE WISCONSIN LIBRARY.

1. The Librarian shall provide in MADISON, the seat of Government, a proper room for the safe keeping of the books, papers, and documents, belonging or appertaining to the Territorial Library, and which shall be entrusted to his care. He shall keep a Register, in which he shall enter the name of every person to whom he shall deliver any book, paper, or document, the time when the same was delivered, when returned, and the title of the work, and number of volumes delivered.

2. The members of the Council and House of Representatives, and their officers; the Governor of the Territory; the Judges of the Supreme Court; the Secretary of the Territory; the United States Attorney of the Territory; the Attorney General of the Territory; the Marshall of the Territory; the Delegate in Congress from the Territory; ex-members of the Legislative Assembly, and the Clerk of the

Supreme Court, shall have free access to said Library during regular hours of the day.

3. Strangers may be introduced to the Library by the Governor, Secretary of the Territory, Judges of the Supreme Court, or members of either branch of the Legislative Assembly.

4. Any person having the privilege of the Library, may take therefrom any number of volumes, not exceeding the number of five, for his own use, and shall be accountable to the Librarian, for the return of the same in good order.

5. No person shall be allowed to keep in his possession any work belonging to said Library a longer period of time than three days, under a penalty of five dollars; and in case any volume shall be lost or damaged, the volume, so lost, and the actual damage done, shall be paid to the Librarian, who is hereby authorized to receive the same, and shall account therefor.

6. The Library shall be open for the accommodation of all privileged persons, from the hours of nine to twelve, A. M., and from two to ten, P. M., during the session of the Legislative Assembly. In the recess of the Legislative Assembly, the time shall be regulated by the Librarian.

7. The Librarian shall have authority to appoint, during the session of the Legislative Assembly, an Assistant Librarian, who may perform the duties assigned to the Librarian, and for whose acts the Librarian shall be personally responsible.

8. The Librarian shall at the close of the session, report to the Council and House of Representatives, a true account of all expenses incurred during the session for rent-room, fuel, candles, and other incidental expenses, (including the employment of an Assistant,) which shall be paid out of any moneys appropriated by Congress to defray the expenses of the Legislative Assembly.

On motion of Mr. Childs,

The following resolution from the Council was considered:

Resolved, By the Council and House of Representatives, that J. A. Noonan, be employed to execute all the incidental printing of the Legislative Assembly, until otherwise ordered.

On motion of Mr. Barber,

The said resolution was indefinitely postponed.

Ordered, That the Clerk acquaint the Council therewith,

On motion of Mr. Sholes,

The House adjourned till 3 o'clock. P. M.

3 O'CLOCK, P. M.

Messrs. Street and Story were appointed a committee, to call on the Secretary of the Territory for maps of the Territory, agreeably to a resolution passed this morning.

On motion of Mr. Street,

Resolved, That the regular ministers of the Gospel, who are residents of Madison, if any, or who may visit the place during the present session of the Legislature, are hereby invited to hold public worship, on Sabbath days, within the Representatives' Hall.

On motion of Mr. Billings,

Leave of absence was granted to Mr. Jenkins until Tuesday next.

The Speaker announced the appointment of the following standing committees, viz :

On the Judiciary.—Messrs. Shackelford, Story, Whiton, Bracken and Beardsley.

On Schools.—Messrs. Street, Childs, Carver, Shew and Baldwin.

On Internal Improvements.—Messrs. Conroe, Barber, Street, Baldwin and Churchill.

On the Militia.—Messrs. Jenkins, Newman, McGregor, Skinner and Sutherland.

On Finances of the Territory.—Messrs. Childs, Beardsley, Baldwin, Bracken and McGregor.

On Corporations.—Messrs. Billings, McGregor, Sholes, Cruson and Conroe.

On Claims.—Messrs. Whiton, Dewey, Street, Jenkins and Shew.

On Enrolled Bills.—Messrs. Sholes, Shackelford, Barber, Whiton and Baldwin.

On Expenses.—Messrs. Barber, Sholes, Shew, Brunson and Shackelford.

On Agriculture and Manufactures.—Messrs. Carver, Hoyt, Stevens, Skinner and Sutherland.

On Engrossed Bills.—Messrs. Baldwin, Childs, Dewey, Barber and Newman.

On Roads.—Messrs. Hoyt, Shew, Bracken, Conroe and Cruson.

On motion, leave was granted to Mr. Billings to withdraw the resolutions offered this morning, relating to the Governor's Message.

On motion Mr. Story,

The House resolved itself into the committee of the whole, for the consideration of the Governor's Message, Mr. Billings in the chair.—After some time, the committee rose, and reported the following resolutions :

Resolved, That so much of the Governor's Message as refers to memorializing Congress, so far to alter the act of organization as to change the term of the members of the Council and House of Representatives from four to two, and from two to one year, be referred to a Select Committee.

Resolved, That so much of the Governor's Message as refers to an application to Congress for the admission of Wisconsin as a State into the Union, be referred to a Select Committee of one from each election district in this Territory.

Resolved, That so much of the Message as refers to appropriating

the taxes arising from the non-resident lands to raise a School Fund, be referred to the committee on the Judiciary.

Resolved, That so much of the Message as refers to the examination of the Banks and the currency of Wisconsin, be referred to the committee on Corporations.

Resolved, That so much as refers to petitioning Congress for a grant of lands for Internal Improvements, as well as so much as refers to grants already made, be referred to the committee on Internal Improvements.

Resolved, That so much as refers to the revision of the laws, be referred to the committee on the Judiciary.

Resolved, That so much as refers to the printing and distribution of the laws, be referred to a select Committee.

Resolved, That so much of the Governor's message as relates to memorializing Congress, asking the extension of the right of pre-emption to all actual settlers on the line of the proposed Milwaukee and Rock river canal, be referred to a select committee.

Resolved, That so much of the message as refers to the granting of pre-emption rights to miners, be referred to a select Committee.

Resolved, That so much of the Governor's message as relates to the propriety of memorializing Congress, asking that the sum of two hundred and fifty thousand dollars be appropriated for the construction of harbors and light-houses on Lake Michigan; and also, so much thereof as relates to the improvement of the Mississippi, be referred to the committee on Internal Improvements.

Resolved, That so much of the message as refers to dividing the Territory into Judicial Districts, and changing the time of holding courts, be referred to the committee on the Judiciary.

Resolved, That so much of the Governor's message as relates to the construction of a road from Lake Michigan to the Mississippi, be referred to the committee on Roads.

Resolved, That so much of the Governor's message as relates to the extinguishing the title to lands of the Menomonee Nation of Indians, on the west side of Fox river, be referred to a select Committee.

Resolved, That so much of the Governor's message as relates to the propriety of memorializing Congress for a donation of one hundred and fifty thousand acres of land for the improvement of the Fox, Rock and Pecatonica rivers, and the connecting the waters of the Rock River through the Four Lakes, with those of the Wisconsin river, be referred to the committee on Internal Improvements.

Resolved, That so much as refers to the memorial for arms, and the organization of the Militia, be referred to the committee on the Militia.

The report of the committee was unanimously adopted.

The Speaker announced the appointment of the following select committees under the said resolutions:

Messrs. Barber, Childs and Carver, under the first resolution.

Messrs. Story, Billings, Dewey, Childs, Stevens, Sutherland, Whiton and McGregor, under the second resolution.

Messrs. Sholes, Shew, and Newman under the seventh.

Messrs. Skinner, Hoyt and Beardsley under the eighth.

Messrs. Cruson, Billings and McGregor under the ninth, and

Messrs. Whiton, Childs and Sutherland, under the thirteenth resolution.

On motion of Mr. Barber,

Leave of absence was granted to Mr. Bracken, Assistant Door-keeper, until Tuesday next.

On motion of Mr. Childs,

James W. Henry was appointed Assistant Door-keeper until Mr. Bracken should return.

On motion of Mr. Childs,

Resolved, That J. A. Noonan be requested to print fifty copies of the standing rules of this House, the joint rules, the catalogue of books now in the Library, the rules for the government of the Territorial Library, and the standing committees: the whole to be put in one volume in pamphlet form.

On motion of Mr. Childs,

The House adjourned until Monday next at 10 o'clock, A. M.

Monday, December 3, 1838.

The Journal of Friday was read and corrected.

Mr. Childs presented a petition from the inhabitants of Walworth county, praying for a Territorial road leading from Madison, via. the outlet of Kushkenong Lake, Prairie Du Lac, to the Chicago road, near the state line of Illinois.

Referred to the following select committee, viz: Messrs. Childs, Whiton and Sutherland.

Mr. Whiton presented the petition of the inhabitants of Rock county, praying for the organization of said county.

Referred to the following select committee, viz: Messrs. Whiton, Baldwin and Shew.

Mr. Barber presented a petition from citizens of the Territory, praying for the establishment of a Territorial road from Geneva, at the foot of Geneva Lake, to Fond du Lac, on Lake Winnebago.

Referred to the standing committee on roads.

Mr. Barber presented a petition from citizens of the Territory, praying for the establishment of a Territorial road from Orendorf's ferry, on Fox River, to Madison, the seat of Government.

Referred to the standing committee on roads.

Mr. Barber presented a petition from the inhabitants of Town five, north ; Range Eighteen, east, praying for the organization of said town for township purposes, to be called Mequanigo.

Referred to the Committee on Corporations.

On motion of Mr. Sholes,

Resolved, That the Chief Clerk of this House be required to furnish the Postmaster at this place with a list of the members of this body ;— and that the postage on all papers and letters sent and received by members, be paid out of any monies appropriated for contingent expenses.

On motion of Mr. Conroe,

Resolved, That A. A. Bird, acting commissioner for the building of the Capitol of this place, be required to report to this House, as soon as practicable, the *amount* and *manner* of the expenditures of the money appropriated by Congress for the erection of said Capitol, since the time of its commencement.

On motion of Mr. Stree,

Resolved, That the members of the Council be invited to take seats within the bar of this House, at pleasure.

On motion of Mr. Childs,

Resolved, That all bills, before they shall be considered in committee of the whole, shall be printed, unless otherwise ordered.

Mr. Childs, from the Committee of Arrangements, appointed by this House on Friday last, to procure rooms for Committees and Transcribing Clerks, reported that they have not been able to procure any accommodation for committees, but have made partial arrangements for a small room for Clerks and have the *promise* that the room will be fitted up, and be in readiness on to-morrow morning. We have not been able to procure any stove pipe for the use of this Hall ; and as relates to stationery, there is but a very small supply in this place.

The report was accepted, and the committee continued.

Mr. Sutherland, from the Select Committee, to whom was referred the petition of the citizens of the county of Green, praying for a repeal of so much of the second Section of an Act, entitled "An act to divide the county of Iowa," approved December 8th, 1836, as establishes the seat of Justice of said county, at New Mexico, having had the same under consideration, submitted the following report :

That the present location of the seat of Justice for said county, in the opinion of your Committee, does not satisfy the great majority of the residents of said county, but on the contrary, being situated near the southern extremity of said county, puts them to great inconvenience ; and, moreover, that the said town of New-Mexico possesses no natural advantages over any other point in said county ; and, further, that the seat of justice of said county, ought to be located with a view to the convenience of the present and probable future population of said county ; therefore your committee would respectfully recommend the passage of the following Bill, (No. 1,) entitled,

"A bill to repeal so much of an act, entitled an act to divide the county of Iowa, as establishes the seat of justice of the county of Green at New Mexico, and to provide for the location of the seat of justice of the county of Green."

The report was accepted, and the committee discharged.

On motion of Mr. Sholes,

The bill was read the first and second time by its title.

The House, on motion, resolved itself into the Committee of the whole, for the consideration of said bill No. 1, Mr. Sholes in the chair.

After some time spent therein, the committee rose, and by their chairman reported the progress made therein, and asked leave to sit again.

Leave was granted.

The Secretary of the Council being introduced, delivered the following message:

"Mr. Speaker,—The Council have concurred in the resolutions of this House, relative to the transportation of the mail from Madison to Milwaukee, with amendments, in which they ask the concurrence of this House. The Council have appointed Messrs. Collins and Irwin, a committee on their part, to act in conjunction with a similar committee to be appointed by this House, to examine into the state of the Library, and report the result of such examination as soon as practicable."

And then he withdrew.

On motion of Mr. Childs,

The amendments made by the Council to the resolutions passed by this House respecting the mails, were severally considered and concurred in.

Ordered, That the clerk acquaint the Council therewith.

On motion of Mr. Childs,

Ordered, That a committee of two be appointed to act in conjunction with the committee appointed by the Council, to examine into the condition of the Library, and report as soon as practicable.

Messrs. Childs and Carver were appointed the said committee.

Ordered, That the Council be informed thereof.

Mr. Whiton presented five copies of the Laws of the United States, passed at the second session of the twenty-fifth Congress, received from the office of the Executive, for the use of this House.

Mr. Sholes gave notice that he should, on a future day, move to amend the XLI standing rule of this House, so far as to allow of the appointment of a standing committee on Territorial Affairs.

On motion of Mr. Childs,

The House adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

Mr. Sholes, from the committee on Enrolments, reported the following resolutions to be correctly enroled, viz :

"Resolutions relative to the transportation of the mail from Madison to Milwaukee."

The said Resolutions were then presented to, signed by the Speaker, and ordered to be presented to the President of the Council for his signature.

On motion of Mr. Sholes,

Resolved, That the Chief Clerk of this House be authorised to purchase, at the expense of this Territory, a suitable Journal, in which to record the daily proceedings of the House of Representatives.

On motion of Mr. Sutherland,

The House resolved itself into the committee of the whole, having bill No. 1 under consideration, entitled "A bill to repeal so much of an act, entitled an act to divide the county of Iowa, as establishes the seat of Justice of the county of Green at New Mexico, and to provide for the location of the seat of Justice of the county of Green," Mr. Childs in the chair.

After some time the committee rose, and by its chairman reported the said bill without amendment.

The bill was then ordered to be engrossed and read the third time.

On motion of Mr. Sholes,

The resolution from the Council, respecting the appointment of a Special Messenger to repair to Burlington, to procure the laws passed at the last session, was taken up and considered.

On motion of Mr. Childs,

The said resolution was laid on the table.

Mr. Street gave notice that he should, on some future day, ask leave to introduce a bill to prevent persons from wearing deadly weapons. Also, a bill to provide for the destruction of wolves, and a bill to make valid deeds that have been executed with one witness.

On motion of Mr. Sholes,

The House adjourned,

Tuesday, December 4, 1838.

Petitions were presented and referred.

By Mr. Billings, The petitions of Maria Reed, Sarah Townsend, Elizabeth Morgan, and Elizabeth Griffin, praying to be divorced.

Referred to the following select committee, viz: Messrs. Street, Childs and Billings.

By Mr. Whiton, The petition of the inhabitants of Rock and Dane counties, praying for the construction of a road.

Referred to Messrs. Childs, Whiton and Sutherland.

By Mr. Jenkins, The petition of Hugh McFarland and Andrew Dunn, for a ferry across the Wisconsin river.

Referred to Messrs. Skinner, Jenkins and Hoyt.

On motion of Mr. Childs,

Resolved, That the Speaker direct the Messenger of this House to take charge of all communications sent to, or from the members by mail, and prepare some suitable place in this House for their safe keeping.

On motion of Mr. Sholes,

The following preamble and resolution were adopted:

Whereas, it is declared by the act of organization of Wisconsin, that Justices of the Peace, within the Territory, shall not have jurisdiction in any matter of controversy, where the title of boundaries of land may be in dispute, or where the debt or sum claimed exceeds fifty dollars; and whereas, great inconvenience has been, and may be experienced by the citizens of Wisconsin, from the operation of this law, in being compelled, when the value of the property, or debt, or sum claimed exceeds fifty dollars, to institute proceedings in the district courts, the sessions of which are held at places remote from many of the settlements, in the extensive counties of Wisconsin, rendering it necessary, in many instances, for parties to travel sixty, eighty, and frequently more than one hundred miles, at great inconvenience and expense, in order to commence and prosecute their suits.

Be it therefore,

Resolved, That the Committee on the Judiciary, be instructed to inquire into the expediency of reporting, as soon as practicable, for the consideration of this House, a memorial to Congress, praying for an extension of the jurisdiction of Justices of the Peace, to cases where the debt or sum claimed does not exceed one hundred dollars.

On motion of Mr. Shackelford,

Resolved, That the Committee of Arrangements, be authorized to procure the necessary carpeting for this House, and such articles of furniture and stationery as the convenience of this House may require.

Mr. Childs asked leave of absence for himself and the other members of the said committee.

The question being taken, leave was not granted.

Mr. Carver moved that the chairman of the said committee have leave of absence, until he can procure the articles required in said resolution.

The motion was lost.

A division being called for, there were ayes 7—noes 12.

Mr. Street, from the Select Committee, appointed to call on the Secretary of the Territory, and request him to procure suitable maps for the use of this House during its present session, made report :

"That they had called on the Secretary, and received from him nine maps of the Territory, which are herewith presented to the House."

The report was agreed to, and the committee discharged.

Mr. Baldwin, from the Committee on Engrossed Bills, reported Bill No. 1, to be correctly engrossed.

Mr. Sholes, from the committee appointed to take into consideration that portion of the Governor's message relating to the printing and distribution of the laws, made the following report :

"That the joint resolution, (which has received the sanction of both Houses) providing for the appointment of a special Messenger, to proceed forthwith to Burlington, Iowa Territory, for the purpose of procuring such number of the copies of the laws of the last session, as may be the due proportion of the Territory of Wisconsin, renders any action on the part of your committee upon the subject unnecessary. They, therefore, ask the adoption of the following Resolution, viz :

Resolved, That the committee be discharged from the further consideration of the subject.

The report was adopted and the committee discharged.

Mr. Barber, from the select committee, to whom was referred so much of the Governor's message as relates to memorializing Congress, so far to alter the act of organization, so as to change the term of members of the Council and House of Representatives, from four to two, and from two to one year, reported the following memorial :

To the Honorable, the Senate and House of Representatives of the United States, in Congress assembled.

The Memorial of the Legislative Assembly of the Territory of Wisconsin, respectfully represents, that by the organic law of Congress, creating the Territory of Wisconsin, the members of the Legislative Council, of said Territory, are elected for the term of four years ; and the members of the House of Representatives thereof, for the term of two years.

Your memorialists would further represent, that the population of Wisconsin is increasing, in a ratio almost unexampled in the history of our country ; and that every year may almost be said to give it a new population.

Under these circumstances, where an officer is elected for the term of four years, before the expiration of that term a great majority of those, whose interests he ought to represent or protect, is composed of persons who could have had no voice in his election—to whom he may be an entire stranger, and with whom he may have no interests in common, whereby great injustice may be done to a large and meritorious class of the citizens of this Territory.

Rotation in office, and frequent accountability to the people, are the surest means of preventing the abuse of power. The duration of every office should be as long as is requisite to an able and faithful discharge of its duties, and no longer.

Your memorialists would, therefore, respectfully request of your Honorable bodies, that the Act of Congress, by which the Territory of Wisconsin was organized, may be so amended, that the term of service of the members of the Council may be two years, and that of the members of the House of Representatives may be one year.

The report of the committee was agreed to, and the committee discharged.

On motion of Mr. Sholes,

Ordered, That a standing committee be appointed "On Territorial Affairs."

The Speaker appointed Messrs. Story, Shew, Hoyt, Dewey and Beardsley, the said committee.

On motion of Mr. Childs,

The resolution of the Council, appointing William B. Long, Special Messenger, to procure the laws, past at the last session, &c., was taken up and considered.

On motion of Mr. Sholes,

The House concurred in the said resolution.

Ordered, That the Council be informed.

Bill No. 1, entitled, "A bill to repeal so much of an act, entitled, an act to divide the county of Iowa, as establishes the seat of Justice of the county of Green, at New Mexico, and to provide for the location of the seat of Justice of the county of Green," was taken up, and

On motion of Mr. Childs, was ordered to be re-committed to the committee of the whole House.

The House then resolved itself into the committee of the whole on the said bill, Mr. Childs in the chair.

After some time the Committee rose, and reported the said bill with amendments.

The amendments were agreed to.

The bill was then ordered to be engrossed and read the third time.

On motion of Mr. Barber,

Memorial No. 1, was read the first and second time.

On motion of Mr. Sholes,

The House resolved into the committee of the whole, on said memorial, Mr. Barber in the chair. After some time the committee rose and reported the memorial to the House without amendment.

The said memorial was then ordered to be engrossed, and read the third time.

Mr. Conroe gave notice that, on some future day, he should ask leave to introduce a bill to provide for the organization of certain counties, now attached to Brown, for county and township purposes.

On motion of Mr. Barber,
The House adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

The following message was received from the Executive :

"EXECUTIVE DEPARTMENT, Dec. 4, 1838.

"To the Honorable, the Speaker of the House of Representatives :

"Sir,—I have this day examined and approved 'Resolutions relative to the transportation of the mail from Madison to Milwaukee,' and herewith return the same to your House, where they originated."

"I have the honor to be,

"Your ob'dt servant,

"HENRY DODGE."

The Speaker laid before the House the following communication :

"HALL OF REPRESENTATIVES, Dec. 4, 1838.

"To the Honorable, the Speaker of the House of Representatives :

"Sir,—I herewith tender, through you, to the Honorable body over which you preside, my resignation of the office of Assistant Door-keeper. I have the honor to be.

"Your ob't servant,

"JOHN BRACKEN."

On motion of Mr. Sholes,

The resignation of John Bracken was accepted.

On motion of Mr. Barber,

Ordered, That the House now proceed to elect an Assistant Door-keeper, by ballot. Messrs. Childs and Shew were appointed tellers.

The votes being taken and counted, it was found that

James Irwin had sixteen votes ;

James W. Henry had seven votes, and

James Ervin one vote.

James Irwin was therefore declared to be duly elected.

On motion of Mr. Childs,

Mr. Irwin appeared at the Clerk's table, and took an oath, truly and faithfully to discharge the duties of Assistant Door-keeper.

On motion of Mr. Billings,

James W. Henry was appointed Door-keeper, pro tempore, until the Door-keeper should resume his station in the House.

The Secretary of the Council was introduced, and delivered the following message :

"Mr. Speaker :—The Council have passed bills and resolutions as follow :

"Bill No. 1. A bill to amend the act, entitled, An act concerning the Supreme and District Courts, and defining their jurisdiction and powers."

"Bill No. 2. A bill to divide the town of Muskeego, and to organize the town of Vernon.

"Bill No. 5. A bill to legalize the proceedings of the Board of Commissioners of the county of Milwaukee.

"Resolution No. 2. A resolution to appoint a Fiscal Agent of the Legislative Assembly.

"Resolution No. 3. A resolution to provide for a revision of the Laws.

"In which bills and resolutions the concurrence of this House is requested."

And then he withdrew.

The House proceeded to consider the bills and resolutions, sent from the Council.

On motion of Mr. Sholes,

Bills (No. 1,) entitled "A bill to amend an act, entitled an act concerning the Supreme and District Courts, and defining their jurisdiction and powers."

No. 2, entitled "A bill to divide the town of Muskeego, and to organize the town of Vernon."

No. 5, entitled "A bill to legalize the proceedings of the Board of Commissioners of the county of Milwaukee," and Resolutions

No. 2, entitled "A resolution to appoint a Fiscal Agent of the Legislative Assembly."

No. 3, entitled "A resolution to provide for a revision of the Laws," were severally read the first and second time by their titles.

On motion,

The House resolved itself into the committee of the whole on the said resolutions, Mr. Sholes in the chair. After some time the committee rose, and, by its chairman, reported Resolution No. 2, with an amendment, and No. 3, without amendment.

On motion of Mr. Sholes,

The report of the committee was amended by inserting in the 2d Resolution, after the words "gold and silver," the words following, "or the notes of the Bank of Illinois or its Branches, or the notes of the Bank of Missouri."

The report of the committee was then agreed to, and the said resolutions were ordered to be engrossed and read a third time.

On motion of Mr. Story,

The House adjourned.

Wednesday, December 5, 1838.

Mr. Shackelford, from the Judiciary committee, made the following report :

"The Judiciary committee, to whom was referred so much of the Governor's message as relates to the appointment of commissioners, to revise the Laws of this Territory, beg leave to report :

That they consider it of great importance to the Territory, that the Laws which are now in force should be arranged and condensed into a code. The Laws of Michigan Territory, by order of their Legislative Council, were condensed and revised up to the year 1833. Since that period the acts of 1834 and 1835 of Michigan Territory, and the acts of the Wisconsin Legislature of 1836 and 1837, have been published in pamphlet form.

It is well known that many of these acts have been partially, and some of them entirely repealed. In consequence of which there is great doubt and uncertainty as to what laws are now in force. Your committee think that the prosperity and welfare of this Territory require that there should be established, for our government, a plain, concise, and intelligible system of Laws. We do not think that such a system can be proposed during the ordinary course of Legislature. We believe that it is a work which requires the close and assiduous attention of men of ability and experience. The Legislatures of most of the States have found it necessary and expedient at different times, to employ commissioners to digest and revise their Laws. And we conceive it more particularly necessary for the Legislature to pursue that course, when we look at that crude and ill-digested mass of Laws by which we are at present governed. In furtherance of these views, we would suggest, first, the propriety of appointing a committee, composed of members from the two Houses of the Legislature, (or commissioners) whose duty it shall be to revise and condense, into a code, the Laws now in force in this Territory, and make their report as soon as practicable. And, secondly, that three commissioners be appointed to report to the next session of the Legislative Assembly of this Territory, such a code of Laws, as, in their opinion, the wants and wishes of the people of this Territory may require.

Your committee therefore recommend the adoption of the following resolutions :

Resolved, By the Council and House of Representatives, that a joint committee shall be selected, to consist of three members from each of the two branches of the Legislative Assembly, whose duty it shall be to select and arrange the Laws of a general nature, now in force in this

Territory, and report the same without unnecessary delay, for the consideration of the Legislature.

Resolved, By the Council and House of Representatives, that both Houses meet in the Representatives' Hall, on the day of at 12 o'clock, M., for the purpose of choosing, by joint ballot, three suitable persons to prepare such a code of Laws as, in their opinion, the wants and wishes of the people of this Territory may require, and that they report the same for the consideration of the two Houses at the next annual session of the Legislature; and the said commissioners shall receive for their services such compensation as the Legislature may allow."

The report was accepted, and laid on the table for the present.

Mr. Billings, from the committee on Corporations, made the following report:

The committee on Corporations, to whom was referred so much of the Governor's message as relates to the examination of the Banks and the Currency of Wisconsin, beg leave to submit the following report:

Your committee are fully sensible that there is no subject in relation to which the Legislative Assembly can be called upon to act, in which the people take a deeper interest than that of the currency of the country, or the circulating medium, by means of which all their exchange of property, of whatever description, are, or ought to be, affected; this, of course, we could not expect or wish to be otherwise, knowing that people always take the deepest interest in what most intimately affects their welfare. If, then, the subject of the currency of the Territory is one so intimately affecting the welfare of its citizens, it behooves us, as legislators, to obtain all the information upon it which can be derived from the well settled principles of political economy, the experience of the several States of this Union, and more particularly the origin, growth, past and present condition of the circulating medium of our own Territory—before committing ourselves by any legislation which we may afterwards, and, perhaps, too late, regret.

Your committee entertain no doubt that Banks, when based upon a *cash capital actually in their vaults*, and when confined in their operation to such limits and transactions, as experience has shown to be entirely safe, are a benefit to the community in which they exist.

The committee do not intend to give their views very much in detail as to what those limits and transactions should be, but merely remark in passing—that any Bank, in order to be safe, and at the same time serviceable to the people, should never permit its *paper circulation* to exceed its *specie capital actually on hand*, by a greater ratio than experience has shown will be entirely safe, and enable it at all times to redeem its paper, with coin, on demand.

No ratio of that kind can be fixed upon which will be of universal application to all Banks, as it is so liable to be affected by a variety of circumstances, such as the locality of the Bank, its proximity to other Banks, into whose vaults its circulation naturally flows—or to those

points where the public revenue is collected, or, more especially, the confidence which the community, in which its notes circulate, have in its ability and disposition at all times, with promptitude and cheerfulness, to meet all its engagements. All these, and a variety of other circumstances, are continually operating to affect that ratio alluded to; but notwithstanding this, every Bank can always determine for itself what ratio is safe for it; and that ratio should never, under any circumstances, be exceeded, and prudence would require that the circulation should be confined far within it.

Another principle essential to the safety and utility of any Bank is, that its discounts should be confined to *business paper*—by which your committee understand discounts of such a nature, as are designed to facilitate the borrower in converting his commodities, either in possession or expectancy, into cash. To illustrate: if a smelter has on hand a quantity of mineral, which he wishes to convert into lead and ship to market—or if a farmer or miller has on hand a quantity of wheat, which he wishes to convert into flour and ship to market, the Bank should aid them by a loan, with which to pay the expenses of converting their several commodities into a marketable state, and of transporting them to market. Or if a miner wishes to borrow money to pay the expenses of bringing to light the hidden riches of the mine; or the farmer, to pay the expenses of obtaining from the soil his crop—these, although commodities only in expectancy, are yet such as should induce the Bank to extend its aid in facilitating the operations of these men. If a Bank would confine its operations to transactions of this general nature, it would at all times be a safe and useful institution. But that Bank illy discharges the high duties which its chartered privileges impose upon it, and has but a slight regard for its own safety, when it lavishes its pictured promises upon those, and those only, whose sole design is to enrich themselves by speculating upon the fluctuations in the price of the various commodities of the country.

A Bank to be useful should be owned and conducted by those who have money to lend, and not by those who wish to borrow; hence, the discounts of a Bank should be distributed with an impartial hand among all citizens in its vicinity, who desire loans, and who bring themselves within the principles already laid down, and not confined to the few who may happen, for the time being, to control its operations; by pursuing the latter course, it is sure to lose the confidence of the community in which it exists, without which it were better that it never existed.

A reference to the operations and present condition of any Bank in the United States, will prove the truth of these general observations, and will furnish many useful ideas in relation to this interesting subject of banking, but your committee conceive that they would better discharge their duty by confining their remaining inquiries to the Banks of this Territory.

There are but three Banks in this Territory, in existence, under any

charters granted in pursuance of the provisions of law : the Bank of Wisconsin, at Green Bay ; the Bank of Mineral Point, at Mineral Point ; the Bank of Milwaukee, at Milwaukee. Two or three other charters have been granted by the Territorial Legislature, but it is understood that Congress has not approved of them, and that they are not in operation. Only the two former of those named have commenced operations by issuing their own bills. The committee are informed that the Bank of Milwaukee has discounted paper to a moderate extent with the notes of other institutions, and that it is about to commence operations upon a more extended scale. The committee feel that relying, as they must at present, upon their own individual observation of the state of the currency of the Territory ; and upon common report as to the condition of the several Banks, they might be liable to do great injustice to those institutions, if they should indulge in any strictures upon them, based upon such observation and report.

Neither do they conceive that the Legislature are in possession of such facts at present, as will justify them in acting upon this subject ; your committee therefore think that there should be three several committees appointed by the Legislature, to investigate the condition of the three Banks above named, vested with the most ample powers to carry out that object.

Your committee further report, that the Fox River Hydraulic Company is now issuing Bank notes, and exercising banking privileges ; but your committee are not advised that their charter confers upon them any such rights, or that it has ever received the sanction of Congress ; they, therefore, recommend that the committee, charged with the duty of investigating the condition of the Bank of Wisconsin, be required to ascertain by what authority the said Fox River Hydraulic Company exercise the rights and privileges they are exercising, and what have been the nature and extent of their operations, and generally to investigate the condition of said company as to banking purposes. And your committee would further recommend the passage of a general law, making it felony for any corporation to assume banking powers and privileges, unless authorised by law to do so ; for which your committee will, on a future day, bring in a bill. And they now recommend the adoption of the following resolution :

Resolved, The Council concurring herein, that there be joint committees appointed by the two Houses of the Legislative Assembly, on joint ballot, in the Representatives' Hall, on the day of December, 1838, at o'clock, whose duty it shall be to examine the several Banks of this Territory, and report their doings as soon as may be, to the two Houses of the Legislative Assembly, and they shall have power to send for persons and papers and to administer oaths.

On motion of Mr. Sholes,

The report was accepted, and laid on the table for the present.

Mr. Conroe, in pursuance of previous notice, introduced Bill No. 2, entitled

"A bill to organize the counties of Manitowoc and Sheboygan," which was read the first and second time.

Mr. Baldwin from the committee on Engrossed bills, reported the following to be correctly engrossed, viz:

Bill No. 1, entitled "A bill to repeal so much of an act entitled an act to divide the county of Iowa, as establishes the Seat of Justice of the county of Green at New Mexico, and to provide for the location of the Seat of Justice of the county of Green."

Memorial No. 1, entitled "A memorial of the Legislative Assembly of the Territory of Wisconsin to Congress, praying that the term of members of the Council may be changed from four to two years, and that of the members of the House of Representatives from two to one year."

Resolutions, No. 2, (Council File,) entitled "A resolution to appoint a Fiscal Agent of the Legislative Assembly." No. 3, (Council File,) "A resolution to provide for a revision of the Laws."

On motion of Mr Sholes,

The House proceeded to consider the engrossed bills, &c. on the table.

Bill No. 1, was read the third time, passed, and the title agreed to.

Ordered that the Clerk request the concurrence of the Council therein.

Memorial No. 1, was then considered.

Mr. Childs moved that it be re-committed to the committee by whom it was reported.

The question to re-commit was lost.

A division being called for,

There were Ayes 7—Noes 12.

Mr. Childs then moved that it be re-committed to the committee of the whole House.

And the question being taken it was decided in the affirmative.

The House then, on motion of Mr. Sholes, resolved itself into the committee of the whole on said memorial, Mr. Childs in the Chair.

After a short time the committee rose, and by its chairman reported progress, and asked leave to sit again on the first Monday of January next.

Leave was granted.

Mr. Sholes, from the joint committee on enrolments, reported the following resolution as correctly enrolled, viz: "Resolution appointing William B. Long; Special Messenger," &c.

The Speaker signed the said resolution, and ordered it to be presented to the President of the Council for his signature.

On motion of Mr. McGregor,

The House adjourned until 3 o'clock, P. M.

Dec. 5.

HOUSE OF REPRESENTATIVES.

49

3 O'CLOCK, P. M.

The Speaker laid before the House the following communication, which was read and laid on the table:

“POST OFFICE, MADISON, W. T.
December 5th, 1838.”

“To the Hon. John W. Blackstone,
Speaker of the House of Representatives:

“SIR,—I have the honor to enclose to you, (for the information of the Legislative Assembly,) a contract, made with the contractor on route No. 2904, for the transportation of the mail from Madison to Milwaukee, once each week extra, agreeably to the resolutions of the Legislative Assembly.
Your ob'dt seryant,

“JOHN CATLIN, P. M.”

Resolution No. 2, (Council File,) entitled “Resolution to appoint a Fiscal Agent of the Legislative Assembly,” was

On motion of Mr. Sholes,

Amended by unanimous consent, by inserting, after the words “monies appropriated by Law,” the words following: “to defray the expenses of the present session of said Legislative Assembly.”

The said resolution was then read the third time, passed, and the title thereof agreed to.

Ordered, That the Council be requested to concur in the said amendment.

Message from the Council by the Secretary thereof:

“Mr. Speaker,—The Council have passed bill No. 7, entitled “A bill to amend the act to organize the county of Walworth, and establish the Seat of Justice therein.” In which I am directed to ask the concurrence of this House.”

And then he withdrew.

Resolution No. 3, (Council File,) entitled “A resolution to provide for a revision of the Laws,” was,

On motion of Mr. Sholes, re-committed to a committee of the whole House.

The House then resolved itself into a committee of the whole, Mr. Whiton in the chair.

After some time, the committee rose, and reported the resolution with amendments.

The report of the committee was agreed to, and the resolution was ordered to be engrossed and read the third time.

Mr. Sholes, from the committee on Enrolled bills, reported bill No. 1, to be correctly enrolled, entitled “A bill to repeal so much of an act, entitled an act to divide the county of Iowa, as establishes the Seat of

Justice of the county of Green at New Mexico; and to provide for the location of the Seat of Justice of the county of Green."

Ordered to be sent to the Council for concurrence.

Bill No. 7, (Council File,) entitled "A bill to amend the act to organize the county of Walworth, and to establish the Seat of Justice therein," was,

On motion of Mr. Sholes, read the first and second time by its title.

Mr. Sholes moved that the rule, requiring bills to be printed before being considered in the committee of the whole, be suspended with reference to bills Nos. 1, 2, 5 and 7, (Council File,) and the question being taken, it was decided in the negative.

A division being called for,

There were Ayes 9—Noes 12.

A motion was then made by Mr. Sholes to adjourn.

Which motion was decided in the negative.

A motion was then made by Mr. Street, that the rule, requiring bills to be printed before being considered in committee of the whole, be suspended with reference to bill No. 7, (Council File.)

And the question being taken, it passed in the affirmative.

The House then, on motion of Mr. Carver, resolved itself into a committee of the whole, Mr. Street in the chair.

After some time the committee rose and, by its chairman, reported the bill to the House without amendment.

The report was agreed to.

The bill was then ordered to be engrossed, and read a third time.

Mr. Baldwin, from the committee on Engrossed bills, reported resolution No. 3, entitled, "A resolution to provide for a revision of the Laws," to be correctly engrossed.

The said resolution was then read the third time, passed, and the title thereof agreed to.

Ordered, That the Clerk inform the Council thereof.

Mr. McGregor gave notice that he should, on some future day, ask leave to introduce a bill to prevent horses, in certain cases, from running at large, and for other purposes.

On motion of Mr. McGregor,

The House adjourned.

Thursday, December 6, 1838.

The House was called to order by the Clerk, the Speaker being absent.

Mr. Baldwin stated that in consequence of illness, the Speaker was unable to resume his station in the House,—he therefore moved that

the Hon. Ebenezer Childs be appointed Speaker, pro tempore, until the Hon. Speaker should take his seat.

The motion being put by the Clerk, the Hon. Ebenezer Childs was declared to be duly appointed Speaker, pro tempore, by the unanimous vote of the House.

And thereupon Mr. Childs took the chair.

Mr. Baldwin, from the committee on Engrossed bills, reported bill No. 7, (Council File,) as correctly engrossed.

The said bill, entitled, "A bill to amend the act to organize the county of Walworth, and to establish the seat of justice therein," was then read the third time, passed, and the title thereof agreed to.

The said bill was then ordered to be enroled.

Mr. Sholes, from the committee on enrolments, reported bill No. 7, (Council File,) to be correctly enroled.

Ordered, That the Clerk request the concurrence of the Council in the amendments to said bill.

Bill No. 2, entitled "A bill to organize the counties of Manitowoc and Sheboygan," was,

On motion of Mr. Sholes, laid on the table.

The House then resolved itself into the committee of the whole, Mr. Barber in the chair, having bill No. 1, (Council File,) under consideration, entitled, "A bill to amend the act entitled an act concerning the Supreme and District Courts, and defining their jurisdiction and powers."

After some time the bill was reported to the House without amendment.

Mr. Shackelford moved to lay the bill on the table.

Which motion was lost.

A division being called for, there were Ayes 5—Noes 13.

The report of the committee was then agreed to, and the bill was ordered to be engrossed, and read the third time.

On motion of Mr. Conroe,

The House went into committee of the whole, for the consideration of bill No. 2, (Council File,) entitled, "A bill to divide the town of Muskego, and to organize the town of Vernon," Mr. Baldwin in the chair.

After a short time the committee rose and, by its chairman, reported the bill to the House without amendment.

The bill was then, on motion of Mr. Sholes, indefinitely postponed.

Ordered, That the Council be informed thereof.

On motion of Mr. Whiton,

Bill No. 5, (C. F.) entitled "A bill to legalize the proceedings of the Board of Commissioners of the County of Milwaukee," was considered in committee of the whole, Mr. Shackelford in the chair.

After some time, the bill was reported to the House with amendments.

The report of the committee was agreed to.

The said bill was then ordered to be engrossed, and read the third time.

On motion of Mr. Sholes,

The report on the subject of the revision of the Laws, and the resolutions submitted by the Judiciary committee, were taken up and considered.

The resolutions are as follow :

Resolved, By the Council and House of Representatives, that a joint committee shall be selected, to consist of three members from each of the two branches of the Legislative Assembly, whose duty it shall be to select and arrange the laws of a general nature, now in force in this Territory, and report the same without unnecessary delay, for the consideration of the Legislature.

Resolved, By the Council and House of Representatives, that both Houses meet in the Representatives' Hall, on the first Monday of January next, at 12 o'clock, M., for the purpose of choosing, by joint ballot, three suitable persons to prepare such a code of laws as, in their opinions, the wants and wishes of the people of this Territory may require ; and that they report the same for the consideration of the two Houses at the next annual session of the Legislature, and that said commissioners shall receive for their services such compensation as the Legislature may allow.

The first resolution was, on motion;

Ordered, To lie on the table.

On motion of Mr. Sholes,

The first blank in the second resolution was filled by inserting "first Monday," and the second blank was filled by inserting the words "January next."

The report of the committee, as amended, was then adopted.

On motion of Mr. Sholes,

The House adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

Mr. Baldwin, from the committee on Engrossed Bills, reported the following as correctly engrossed, viz :

Bill No. 1, (Council file) entitled "A bill to amend the act, entitled an act concerning the Supreme and District Courts, and defining their jurisdiction and powers."

Bill No. 5, (Council file) entitled "A bill to legalize the proceedings of the Board of Commissioners of the County of Milwaukee."

Bill No. 1, (Council file) was then read the third time, passed, and the title agreed to.

Ordered, That the Clerk request the Council to concur therein.

Bill No. 5, (Council file) was then read the third time, passed, and the title thereof agreed to.

The bill was then ordered to be enrolled.

On motion of Mr. Sholes,

The resolution, reported by the Judiciary committee, entitled "A resolution to choose, by joint ballot, three commissioners to prepare a code of laws," was read the first and second time.

The House then resolved itself into the committee of the whole, on said resolution, Mr. Dewey in the chair. After a short time the committee rose, and reported the resolution without amendment.

The report was agreed to, and the resolution was ordered to be engrossed for a third reading.

A motion was then made by Mr. Barber, that the vote of this House taken on yesterday, granting leave to the committee of the whole House to sit again on Monday, the 7th of January next, for the consideration of memorial No. 1, entitled, "A memorial to change the term of members of the Council and House of Representatives," &c. be reconsidered.

Mr. Sholes called for the ayes and noes.

And the question being taken,

Those who voted in the affirmative are:

Messrs. Barber, Billings, Carver, Dewey, Hoyt, Newman, Sholes, Shew, Skinner, Story, Stevens and Sutherland—12.

Those who voted in the negative are:

Messrs. Baldwin, Childs, Conroe, Churchill, Cruson, Jenkins, McGregor, Shackelford, Street and Whiton—10.

So the vote was re-considered.

On motion of Mr. Barber,

Leave was granted to the said committee to sit again for the consideration of said memorial, on next Monday's evening.

Mr. Baldwin, from the committee on Engrossed bills, reported "A resolution to choose, by joint ballot, three commissioners to prepare a code of laws," as correctly engrossed.

The said resolution was then read the third time, passed and the title thereof agreed to.

Ordered, That the Council be requested to concur therein.

The following resolution, reported by the committee on Corporations, was taken up, and read the first and second time, viz:

Resolved, (The Council concurring herein,) That there be joint committees appointed by the two Houses of the Legislative Assembly, on joint ballot, in the Representatives' Hall, on the day of Dec., 1838, at o'clock, whose duty it shall be to examine the several Banks of this Territory, and report their doing, as soon as may be, to the two Houses of the Legislative Assembly, and they shall have power to send for persons and papers, and to administer oaths.

The House then, on motion of Mr. Carver, considered said resolution in the committee of the whole, Mr. Sholes in the chair.

After some time the committee rose, reported the progress made therein, and asked leave to sit again to-morrow.

Leave was granted.

The Secretary of the Council being introduced, delivered the following message :

"Mr. Speaker,—The Council have passed bills and a resolution as follow :

"No. 4, A bill to incorporate the Iowa Copper Company.

"No. 6, A bill to provide for laying out and establishing several territorial roads, therein named, and resolution No. 5, a resolution in relation to the printing of bills.

"In which bills and resolutions they ask the concurrence of this House.

"The Council have concurred in the second and third amendments of this House to resolution No. 2, entitled 'A resolution to appoint a Fiscal Agent of the Legislative Assembly,' and have amended the first amendment, in which amendment the concurrence of this House is requested.

"The Council have also concurred in the first and second amendment of this House to resolution No. 3, entitled 'A resolution to provide for a revision of the laws,' and have disagreed to the third amendment."

And then he withdrew.

The said resolutions Nos. 2 and 3, returned from the Council, were then taken up.

The amendment to the amendment, of the House, made by the Council to resolution No. 2, was concurred in.

Mr. Story then moved that the House recede from their amendment made to resolution No. 3, to which the Council had disagreed.

And the question being taken, it was decided in the negative.

On motion of Mr. Shackelford,

The House insisted on their said amendment, and appointed Messrs. Sholes and Story a committee of conference on the said disagreeing vote of the two Houses.

Ordered, That the Clerk inform the Council thereof, and request a conference.

On motion of Mr. Shew,

The House adjourned.

Friday, December 7, 1838.

Mr. Beardsley presented the petition of Adaline Keats, praying for a divorce.

Referred to the following select committee, viz :

Messrs. Street, Childs and Billings.

Mr. Sholes reported as correctly enroled, bill No. 1, (C. F.) entitled, "A bill to amend the act, entitled an act concerning the Supreme and District Courts, and defining their jurisdiction and powers," and Bill No. 5, (C. F.) entitled, "A bill to legalize the proceedings of the Board of Commissioners of the county of Milwaukee."

Ordered to be sent to the Council.

The following entitled bills and resolution, from the Council were, on motion of Mr. Sholes, read the first and second time, viz :

No. 4, "A bill to incorporate the Iowa Copper Company."

No. 6, "A bill to provide for laying out and establishing several territorial roads, therein named."

Resolution No. 5, "A resolution in relation to the printing of bills."

On motion of Mr. Billings,

The House considered resolution No. 5, in relation to the printing of bills, in the committee of the whole, Mr. Story in the Chair.

After some time the committee rose, and reported the resolution to the House without amendment.

The said resolution was then read the third time and passed.

Ordered, That the Clerk acquaint the Council therewith.

On motion of Mr. Sholes,

The House resolved itself into committee of the whole, for the consideration of bill No. 2, (H. R. F.) entitled "A bill to organize the counties of Manitowoc and Sheboygan," Mr. Sutherland in the chair. After some time the committee rose, and reported the bill to the House with amendments.

The report of the committee was agreed to.

The bill was then ordered to be engrossed and read the third time.

Mr. Sholes, from the Joint Committee on Enrolments, reported bill No. 7, (C. F.) to be correctly enroled, viz :

"A bill to amend an act, entitled an act to organize the county of Walworth, and to establish the seat of Justice therein."

The said bill was then presented to, signed by the Speaker, and ordered to be presented to the President of the Council for his signature.

The following message was received from the Council by the Secretary :

"Mr. Speaker,—The Council have appointed Messrs. Collins and Martin the committee of conference on their part, in relation to the disagreeing vote of the two Houses, on Resolution No. 3, (C. F.) entitled 'A resolution to provide for a revision of the laws.'"

And then he withdrew.

On motion of Mr. Whiton,

The House resolved itself into the committee of the whole on Resolution No. 3, (H. R. F.) entitled "A resolution to choose, by joint ballot, committees to examine the several Banks of this Territory," Mr. Street in the Chair.

After some time the committee rose and, by their chairman, reported the progress made therein, and asked leave to sit again.

Leave was granted.

Mr. Sholes gave notice of his intention, on to-morrow, of moving an amendment to the Standing Rules of this House, by striking out Rule XXVIII, and inserting in lieu thereof, a Rule which will be prepared.

On motion of Mr. Carver,

The House adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

Mr. Sholes, from the joint committee of conference, appointed on the disagreeing vote of the two Houses, in relation to the amendment of the House of Representatives to resolution No. 3, (C. F.) "to provide for the revision of the laws," made the following report.

That after a conference upon the subject, they have agreed to present to both Houses, for their adoption, the following :

Insert after the word "make," in the second line of the latter sentence, the word "such," and strike out after the word "as," in the third line of the sentence, all to the word "and" in the sixth line, inserting in lieu thereof "may be deemed expedient." The latter sentence of the resolution will then read, "said committee shall proceed immediately to make such a division of the labor as may be deemed expedient; and the portion allotted to each branch of the committee shall be digested, arranged and reported by them to the House of which they may be members."

The report was adopted.

A motion was then made by Mr. Shackelford to re-consider the vote of this House, taken on yesterday, indefinitely postponing bill No. 2, (C. F.) entitled, "A bill to divide the town of Muskego, and to organize the town of Vernon."

The question being taken, it was decided in the affirmative.

Ordered, That the Council be informed.

The said bill was then laid on the table.

The following message was received from the Council by the Secretary :

"Mr. Speaker,—The Council have concurred in the report of the joint committee of conference, in relation to the disagreeing vote of the two Houses on resolution No. 3, (Council file,) entitled, "A resolution to provide for the revision of the Laws." Also, in the amendment made by this House to bill No. 5, (Council file,) entitled, "A bill to legalize the proceedings of the Boards of Commissioners of the county of Milwaukee."

And then he withdrew.

On motion of Mr. Dewey,

The House resolved itself into the committee of the whole, for the consideration of resolution No. 3, entitled "A resolution to choose by joint ballot, committees to examine the several banks of this Territory," Mr. Skinner in the chair.

After some time the committee rose, and by its chairman, reported the said resolution with an amendment.

The House accepted the report of the committee.

Mr. Carver moved the following amendment,

Insert after "Resolved," &c., "That there be a committee of four members from each House, elected by ballot, to investigate the affairs of the several Banks in this Territory; that the said committee be hereby empowered and required to inquire of the respective officers of said Banks, or any other persons, under oath or affirmation, or by personal inspection, or both, the amount of capital paid in—the amount of bills in circulation—the amount of deposits—the profits on hand—the amount of specie on hand—the amount of all bills of other banks on hand—the amount of stock in other banks—the amount of real estate, and other property not herein specified, together with such other facts as may tend to show whether said banks have complied with the terms of their charters, and whether they are solvent institutions.

"That said committee be empowered to administer oaths, and that they make their report to the Legislative Assembly during its present session.

"And further, that the said committee be empowered to divide the labor of examining the different banks amongst themselves, as they may see proper."

Mr. Sholes offered the following amendment to the amendment,

Strike out all after "Resolved," and insert, "That the Presidents and Cashiers of the several banks, now in operation in this Territory, be required forthwith to furnish to the Legislative Assembly, under oath, a full, fair, and explicit statement of the condition of the several institutions of which they are officers, stating the amount of deposits, the profits on hand, the amount of bills in circulation, the amount of debts due from directors, the amount due from the stockholders, the amount of debts due from all other persons or corporations, (not however naming them,) the amount of specie in bank, the amount of all bills of other banks, the amount of their deposits in other banks, the amount of their real estate, and of other property not herein specified, with the amount of capital actually paid in.

"Resolved, further, That the Clerk of the House of Representatives be required immediately to forward to each of the Presidents and Cashiers of the different banks in the Territory, a copy of this resolution."

The ayes and noes being called for on the amendment to the amendment, were as follow :

Ayes :—Messrs. Beardsley, Childs, Sholes and Shackelford—4.

Noes :—Messrs. Barber, Billings, Baldwin, Conroe, Churchill, Cruson, Carver, Dewey, Hoyt, Jenkins, McGregor, Newman, Shew, Skinner, Story, Stevens, Sutherland, Street and Whiton—19.

Mr. Street moved the following,

Insert after the word "empowered," the following words, "To send for papers and persons."

Mr. Stevens called for the ayes and noes, which being taken were as follow :

Ayes :—Messrs. Barber, Beardsley, Billings, Baldwin, Childs, Conroe, Churchill, Cruson, Carver, Dewey, Hoyt, Jenkins, McGregor, Newman, Shew, Skinner, Story, Stevens, Sutherland, Street and Whiton—21.

Noes :—Messrs. Sholes and Shackelford—2.

Mr. Shackelford moved to lay the resolution and amendments on the table.

The motion was disagreed to.

Mr. Shew called for the ayes and noes on the adoption of the amendment, offered by Mr. Carver, to the resolution reported by the committee of the Whole.

The ayes and noes being taken, were as follow :

Ayes :—Messrs. Beardsley, Baldwin, Cruson, Carver, McGregor, Newman, Shew, Skinner, Stevens and Street—10.

Noes :—Messrs. Barber, Childs, Conroe, Churchill, Dewey, Hoyt, Sholes, Shackelford, Story, Sutherland and Whiton—12.

Mr. Billings gave notice that he should, on some future day, ask leave to bring in a bill to regulate the tolls of Flouring Mills, and also a bill to regulate Weights and Measures.

On motion of Mr. Conroe,

The House adjourned.

Saturday, December 8, 1838.

Mr. Sholes, from the joint committee on Enrolled bills, reported resolution No. 2, (C. F.) entitled "A resolution to appoint a Fiscal Agent of the Legislative Assembly," as correctly enroled.

The said resolution was then presented to, signed by the Speaker, and ordered to be presented to the President of the Council for his signature.

Mr. Baldwin, from the committee on Engrossed bills, reported bill No. 2, entitled "A bill to organize the counties of Manitouwoc and Sheboygan," to be correctly engrossed.

The said bill was then announced ready for the third reading, and was read the third time, passed, and the title thereof agreed to.

Ordered, To be sent to the Council for concurrence.

Bills were introduced, agreeably to previous notice, as follow :

By Mr. Street; No. 3, "A bill to provide for the destruction of Wolves."

By Mr. McGregor; No. 4, "A bill for an act entitled, an act to prevent Horses, in certain cases, from running at large."

The said bills were read the first and second time.

On motion of Mr. Carver,

The House resolved itself into the committee of the whole for the consideration of bill No. 4, (C. F.) entitled "A bill to incorporate the Iowa Copper Company," Mr. Whiton in the chair.

After some time the committee rose, and reported the bill to the House with amendments.

The House agreed to receive the report of the committee.

Mr. Sholes, agreeably to notice given on yesterday, moved the following amendment to the Standing Rules, viz:

Strike out the 28th rule, and insert in lieu thereof the following.

"It shall be in order for the committee on Enrolled Bills, to report at any time."

And the question being taken, it passed in the affirmative.

Mr. Street gave notice, that on a future day, he should ask leave to introduce a bill to declare the Military Road, leading from Prairie-du Chien to Green Bay, a public highway.

On motion of Mr. Cruson,

The House adjourned until Monday next, at 10 o'clock, A. M.

Monday, December 10, 1838.

The Speaker having recovered from his late illness, resumed his station in the House.

Mr. McGregor presented the certificate of the qualification of Ira B. Brunson, Esq., member elect from the county of Crawford, who thereupon appeared, and was,

On motion, admitted to his seat.

Mr. Childs presented a communication from A. A. Bird, Esq. acting Commissioner for the erection of the Capitol, praying time to be allowed him to report "the amount and manner of the expenditures of the money appropriated" therefor.

His request was granted.

M. Beardsley presented the petition of inhabitants of Racine, Walworth, Rock, and Dane counties, for the construction of a Territorial road from Racine to Madison, the Seat of Government.

Referred to the committee on Roads.

Mr. Barber offered resolution No. 5, entitled "A resolution to authorise the Attorney General of Wisconsin, to examine the title to the ground on which the Capitol stands."

Which was by special order of the House read the first, second and third time, and passed.

It is as follows :

Resolved, By the Council and House of Representatives, that the Attorney General of the Territory of Wisconsin, be required to examine and report to the Legislative Assembly, as soon as practicable, whether the said Territory has a title to the ground on which the Capitol thereof stands, and if not, in whom the title thereof is ; together with such other acts in relation thereto, as to him may seem expedient.

Ordered, That the Clerk request the Council to concur therein.

The Speaker appointed Messrs. Whiton, Story, and Shackelford a committee on the part of this House, under a resolution entitled "A resolution to provide for the revision of the Laws."

Ordered, That the Council be informed thereof.

Mr. Street, from the select committee, to whom were referred the petitions from sundry persons of the counties of Iowa, Rock, and Walworth, praying that acts may be passed, dissolving them from the marriage contract, made the following report :

That the Legislature of this Territory has provided courts of competent jurisdiction, to hear, try and determine all cases of controversy, touching the premises in said petitions mentioned, and the Legislature have passed an act, declaring for what causes the marriage contract may be dissolved ; and your committee are of opinion that the law requiring a residence of three years in the Territory, before a divorce can be obtained, is oppressive. Therefore, your committee recommend the adoption of the following resolutions :

Resolved, That it is inexpedient for the Legislature to take any further action on the subject matter contained in said petitions.

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of amending so much of the act regulating divorces, as to alter the time of residence, required by law, from "three" to one year and a half, and that they report by bill or otherwise.

The report and resolutions were adopted.

On motion,

Bill No. 4, (Council File,) entitled "A bill to incorporate the Iowa Copper Company," was taken up and read.

Mr. Street moved the following amendment.

After the word "they," in the 3d line of section 7, strike out all to the word "abuses" in the same line.

The question was taken and disagreed to.

A division being called for,

There were Ayes 9—Noes 13.

On motion of Mr. Childs,

The said bill was re-committed to a select committee.

The Speaker appointed Messrs. Childs, Whiton, and Street the said committee.

Mr. Sholes, from the joint committee on Enrolled bills, reported as correctly enrolled "An act to amend an act concerning the Supreme and District Courts, and defining their jurisdiction and powers."

The Speaker signed the said act, and

Ordered it to be presented to the President of the Council for his signature.

The House then proceeded to consider the resolution, entitled "A resolution to choose, by joint ballot, committees to examine the several banks in this Territory.

Mr. Carver offered the following as a substitute to the resolution :

Resolved by the Council and House of Representatives, That there be a committee, consisting of three members of the Council, and six members of the House of Representatives, selected by ballot, on the day of December instant, at 12 o'clock, M., to investigate the affairs of the different Banks in this Territory ; that the said committee be empowered, and required to inquire by personal inspection, and also of the officers of the bank, and other persons, under oath or affirmation, the amount of capital actually paid in—the amount of bills in circulation—the amount of deposits—the profits on hand—the amount of specie on hand—the amount of all bills of other banks on hand—the amount of stock in other banks—the amount of real estate, and other property, not herein specified, together with such other facts, as may tend to show whether the said banks have complied with the terms of their charters, and whether they are, in fact, solvent institutions.

That said committee be empowered to send for persons and papers, and to administer oaths, and to make such a division of the labor of examination, imposed upon them by this resolution, as they may deem proper.

Resolved further, That the Secretary of the Council, and the Chief Clerk of the House of Representatives, be ordered to furnish each of said committee, who may be elected by their respective Houses, with a copy of this resolution, and the names of the committee elected in pursuance thereof.

Mr. Sholes moved to amend the substitute, by striking out the words "different Banks in this Territory," and inserting, in lieu thereof, the words "the Bank of Wisconsin, at Green Bay."

Which motion was disagreed to.

Mr. Story moved to strike out the word "six," and insert the word "four." Strike out the word "three," and insert the word "two."

Which was agreed to.

Mr. Barber moved the following amendment to the substitute :

Strike out all between the words "Resolved" and "to enquire," and insert the following :

"If the Council concur, that a joint committee, consisting of one

from each House, be appointed to examine into the affairs of the Mineral Point Bank, and the Bank of Milwaukee. Also, that a committee of one, from each House, be appointed to examine into the affairs of the Bank of Wisconsin, and that said committee be instructed."

Mr. Childs moved to strike out "one" and insert "two," in the amendment.

Which was decided in the negative.

The question was then taken on adopting the amendment offered by Mr. Barber, and disagreed to.

A division being called for,

There were, Ayes 9, Noes 11.

Mr. Street moved to fill the blank in the substitute with the word "eleventh."

Which was decided in the affirmative.

Mr. Whiton moved to lay the resolution on the table.

Which motion was disagreed to.

The question then recurred on adopting the substitute offered by Mr. Carver.

And it passed in the affirmative.

The resolution was then ordered to be engrossed and read the third time.

On motion of Mr. Childs,

The House adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

Mr. Billings gave notice that he should, on to-morrow, ask leave to bring in a bill granting a charter for a Territorial Bank.

On motion of Mr. Sholes,

The House resolved itself into the committee of the whole, for the consideration of bill No. 6, (C. F.) entitled "A bill to provide for laying out and establishing several territorial roads, therein named," Mr. Shackelford in the chair.

After some time the committee rose and, by its chairman, reported the bill with amendments.

The report of the committee was agreed to.

On motion of Mr. Childs,

The said bill was laid on the table.

The following message was received from the Council by the Secretary.

"Mr. Speaker,—Messrs. Martin, Strong and Collins have been appointed the committee on the part of the Council, under the joint resolution, to provide for a revision of the laws.

The Governor has notified the Council that he did, on Thursday last, approve "A resolution appointing a special messenger to procure the laws of the last annual session of the Legislature."

And then he withdrew.

Mr. Baldwin from the committee on engrossed bills, reported resolution (No. 3) to "select, by ballot, committees to investigate the affairs of the several banks in the Territory," to be correctly engrossed.

The said resolution was then read the third time, and passed.

Ordered, That the Clerk request the Council to concur therein.

On motion of Mr. Billings,

The House adjourned.

Tuesday, December 11, 1838.

Petitions were presented and referred.

By Mr. Childs: The petition of inhabitants of Rock county for a territorial road from Madison, to intersect the Chicago road near the State line of Illinois.

Referred to the following select committee, viz:

Messrs. Childs, Whiton and Sutherland.

By Mr. Childs: The petition of inhabitants of Rock county, praying for the exclusive right of a ferry across Rock River, near the outlet of Lake Kushkenong.

Referred to the following select committee, viz:

Messrs. Childs, Hoyt and Skinner.

By Mr. Sutherland: The petition of inhabitants of Dane county, praying to be organized for Judicial, County and Township purposes.

Referred to the committee on the Judiciary.

Mr. Brunson offered the following preamble and resolutions: (No. 4.)

Whereas, The country recently purchased from the Winnebagoes, is rapidly settling with a respectable and meritorious class of citizens, who are opening farms, and making improvements of various kinds, which must necessarily be subject to be divided and otherwise injuriously affected by the lines of the public surveys; thereby occasioning much loss, and ground of difficulties of a serious character to the pioneers of this new country—Therefore,

Be it resolved by the Council and House of Representatives of the Territory of Wisconsin, that our delegate in Congress be requested to solicit, and use his influence to obtain an appropriation for the survey of a portion of the land north of the Wisconsin and east of the Mississippi rivers. And,

Be it further resolved, That the Governor of the Territory be requested to forward three copies of these resolutions, one to our delegate, one to the Speaker of the House of Representatives, and one to the President of the Senate of the United States.

The said preamble and resolutions were read the first and second time.

On motion of Mr. Brunson,

The House considered said preamble and resolutions in the committee of the whole, Mr. Whiton in the chair. After a short time, the committee rose, and reported the same to the House without amendment.

The report was agreed to.

On motion of Mr. Sholes,

The rule, requiring bills and resolutions to be engrossed before being read the third time, was suspended with reference thereto, and the said preamble and resolutions were read the third time and passed.

Ordered, That the Clerk request the Council to concur therein.

Mr. Conroe, from the committee on Internal Improvements, by leave, reported memorial No. 2, entitled,

"Memorial to Congress, praying for an appropriation for harbors on the western shore of Lake Michigan."

On motion of Mr. Street,

The said memorial was read the first and second time.

On motion of Mr. Barber,

Ordered, That said memorial No. 2, be printed for the use of the members of this House.

Mr. Shackelford, from the Judiciary Committee, by leave, reported the following bills, which were read the first and second time, viz :

No. 5, "A bill to amend an act, entitled an act concerning the Supreme and District Courts, and defining their jurisdiction and powers."

No. 6, "A bill to repeal an act entitled an act to amend an act concerning Judgments and Executions."

Mr. Childs, from the Select Committee, to which bill No. 4, (C. F.) was referred, reported a substitute as an amendment to the bill, entitled "A bill to incorporate the Iowa Copper Company."

The report of the committee was accepted, and the committee discharged.

The said bill, as reported, was read the first and second time.

The House then, on motion, considered the said bill in the committee of the whole, Mr. Story in the chair.

After a short time the committee rose and by its chairman, reported the bill without amendment.

Mr. Carver moved the following amendment to the report of the committee :

Insert after the word "land," in the 12th line of the second section, the words following :

"And said operation of mining and smelting shall be confined to the limits of the present county of Iowa."

The amendment was agreed to.

The report of the committee, as amended, was then adopted.

The said bill was then ordered to be engrossed and read the third time.

The following message was received from the Council by the Secretary thereof:

"Mr. Speaker,—The Council have passed resolution No. 7, entitled 'A resolution appointing a committee to investigate the state and condition of the Banks of this Territory,' in which they ask the concurrence of this House.

"The Governor has notified the Council that he did, on yesterday, examine and approve 'A resolution to appoint a Fiscal Agent for the Territory,'"

And then he withdrew.

Mr. Sholes, from the committee on Enrolled bills, reported the following act to be correctly enrolled, viz:

"An act to legalize the proceedings of the Board of Commissioners of the county of Milwaukee:"

The Speaker signed the said act and ordered it to be presented to the President of the Council for his signature.

Mr. Billings, agreeably to previous notice, introduced bill No. 7, entitled

"A bill to incorporate the State Bank of Wisconsin."

On motion of Mr. Barber,

The said bill was read the first and second time.

On motion of Mr. Billings,

Resolution No. 7, (from the Council,) entitled "A resolution appointing a committee to investigate the state and condition of the Banks in this Territory," was read and

Ordered, To lie on the table.

On motion of Mr. Sholes,

The House considered bill No. 3, (H. R. file,) entitled "A bill to provide for the destruction of Wolves," in the committee of the whole, Mr. Carver in the chair.

After some time the committee rose and, by its chairman, reported the progress made therein and asked leave to sit again.

Leave was granted.

On motion of Mr. Conroe,

The House adjourned till 3 o'clock, P. M.

3 O'CLOCK, P. M.

Mr. Baldwin, from the committee on Engrossed bills, reported bill No. 4, (C. F.) entitled "A bill to incorporate the Iowa Copper Company," to be correctly engrossed.

On motion of Mr. McGregor,

The House considered bill No. 4, (H. of R. file,) entitled "A bill

to prevent Horses, in certain cases, from running at large," in the committee of the whole, Mr. Barber in the chair.

After a short time the committee rose and, by its chairman, reported the bill with an amendment.

The amendment was agreed to.

The bill was then ordered to be engrossed for the third reading.

On motion of Mr. Street,

The House resolved itself into the committee of the whole, for the consideration of bill No. 3, entitled "A bill to provide for the destruction of Wolves, Mr. Shackelford in the chair,

After some time the committee rose and reported the bill to the House with an amendment.

The report was accepted and the bill was ordered to be engrossed and read the third time.

On motion of Mr. Sholes,

Bill No. 6, (C. file,) entitled "A bill for laying out and establishing several Territorial roads therein named," was taken up and read.

Mr. Sholes moved to strike out section 8th and substitute the following, viz :

"Sec. 8. No part of the expense of laying out said road, shall be paid from the Treasury of any of the counties, through which said road may pass. Nor shall any part thereof be paid out of the Territorial Treasury."

Mr. Barber called for the ayes and noes, which being taken were as follow :

Ayes :—Messrs. Beardsley, Billings, Baldwin, Brunson, Conroe, Churchill, Cruson, Dewey, Hoyt, Jenkins, Newman, Sholes, Shackelford, Shew, Skinner, Story and Sutherland—17.

Noes :—Messrs. Barber, McGregor, Stevens, Whiton and Blackstone, speaker—5.

The bill was then ordered to be engrossed and read the third time.

On motion of Mr. Dewey,

The House took up resolution No. 7, (C. file,) entitled "A resolution appointing a committee to investigate the state and condition of the Banks in this Territory."

The said resolution was, on motion of Mr. Street, read the first and second time by its title.

The House then considered said resolution in the committee of the whole, Mr. Shew in the chair.

After some time the committee rose and reported the resolution with an amendment.

The amendment was agreed to.

The resolution was ordered to be engrossed and read the third time.

Mr. Baldwin, from the committee on Engrossed bills, reported bill No. 4, entitled "A bill to prevent Horses, in certain cases, from running at large," as correctly engrossed.

Mr. Street gave notice that, on some future day, he should, by leave, introduce a bill to secure Religious Societies within this Territory, in the possession of their churches and other property.

On motion of Mr. Barber,

The House adjourned.

Wednesday, December 12, 1838.

Mr. Whiton presented the petition of the inhabitants of Rock county, praying for the construction of a road from Beloit to Madison.

Referred to Messrs. Childs, Whiton and Sutherland.

Mr. Whiton presented the petition of the inhabitants of Rock county, praying for the charter of a ferry across Rock river at St. George's rapids.

Referred to Messrs. Whiton, Newman and Hoyt.

Mr. Street, agreeably to notice for leave, introduced bill No. 8, entitled "A bill to secure Religious Societies within this Territory, in the possession of their churches and other property;" which was read the first and second time.

On motion of Mr. Billings,

Resolved, That the committee on Schools be instructed to inquire into the expediency of establishing a Board of School Commissioners, whose duty it shall be, under instructions that may be directed by law, to manage all the affairs relative to schools, and school and seminary lands, and such fund as may be created by law for the purpose of promoting education.

Mr. Baldwin, from the committee on engrossed bills, reported the following bills and resolution as correctly engrossed:

Bill No. 3, (H. of R.) "A bill to provide for the destruction of wolves."

Bill No. 6, (C. F.) "A bill to provide for laying out and establishing several territorial roads therein named."

Resolution No. 7, (C. F.) "A resolution appointing a committee to investigate the state and condition of the Banks in this Territory."

On motion of Mr. Sholes,

The House considered bills Nos. 5 and 6, in the committee of the whole, Mr. Churchill in the chair:

Entitled as follows: No. 5, "A bill to amend an act concerning the Supreme and District Courts and defining their jurisdiction and powers."

No. 6, "A bill to repeal an act entitled an act concerning Judgments and Executions."

After a short time the committee rose and reported the progress made therein, and asked leave to sit again.

Leave was granted.

Bill No. 3, (H. of R. File) entitled "A bill to provide for the destruction of wolves," was amended by unanimous consent by striking out "a" in the third line of the sixth section before the word "conviction" and inserting the word "on."

The said bill was then read the third time, passed, and the title thereof agreed to.

Ordered, That the Council be requested to concur therein.

Bill No. 4, (H. of R. File,) entitled "A bill for an act entitled an act to prevent Horses, in certain cases, from running at large," was amended,

On motion of Mr. Jenkins, by unanimous consent by inserting section "three," and changing section three in the bill to section four.

The said bill was then read the third time, passed, and title agreed to.

Ordered, That the concurrence of the Council be requested therein.

Bills and a resolution from the Council were then announced ready for the third reading, were severally read the third time, passed, and the titles thereof agreed to, as follows :

No. 4, "A bill to incorporate the Iowa Copper Company."

No. 6, "A bill to provide for laying out and establishing several Territorial roads therein named."

No. 7, "A resolution appointing a committee to investigate the state and condition of the Banks of this Territory."

Ordered, That the Clerk request the Council to concur in the amendments to the said bills and resolution.

The Secretary of the Council being introduced, delivered the following message.

"Mr. Speaker,—The Council have passed bill No. 8, entitled 'A bill to repeal an act entitled 'an act to authorize the Boards of County Commissioners of the several counties in the Territory, to borrow money for the purpose of erecting Court-houses and Jails.' In which bill they ask the concurrence of this House.

"The Governor has notified the Council that he did on this day approve the following acts, viz :

"An act to amend the act concerning the Supreme and District Courts, and defining their jurisdiction and powers ; and

"An act to amend the act entitled 'an act to organize the county of Walworth, and to establish the Seat of Justice therein.'"

And then he withdrew.

Bill No. 8, (Council File,) entitled "A bill to repeal an act entitled 'an act to authorize the Boards of County Commissioners of the several counties in this Territory to borrow money, for the purpose of erecting Court-houses and Jails,'" was read the first and second time.

On motion of Mr. Sholes,

Ordered, That the rule requiring bills to be printed, on being read the second time be suspended with reference to said bill.

The House considered said bill in the committee of the whole, Mr. Hoyt in the chair.

After a short time, the committee reported the bill to the House without amendment.

The report was accepted, and the bill was ordered to be engrossed and read the third time.

On motion of Mr. Billings,

The House adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

On motion of Mr. Sholes,

The House resolved itself into the committee of the whole, for the consideration of memorial No. 2, (H. of R. File,) entitled "A memorial to Congress praying for appropriations for Harbors on the western shore of Lake Michigan," Mr. Cruson in the chair.

After some time the committee rose, and reported said memorial with amendments.

The report of the committee was agreed to.

The said memorial was then ordered to be engrossed for a third reading.

Mr. Baldwin reported bill No. 8, entitled "A bill to repeal an act entitled 'an act to authorise the boards of county commissioners of the several counties in this Territory, to borrow money for the purpose of erecting court houses and jails,'" to be correctly engrossed.

The Speaker laid before the House a communication from William T. Sterling, Esq. Librarian, and an account of the expenses incurred in removing the Territorial Library from Burlington to Madison.

Referred to the Committee on Expenses.

Mr. Sholes presented the account of Robert H. Hotchkiss, for maps.

Referred to the Committee on Expenses.

On motion of Mr. Billings,

The House adjourned.

Thursday, December 13, 1838.

Mr. Brunson presented the petition of Magdalin Gauthier, praying for a divorce.

Referred to the following select committee, viz :
Messrs. Brunson, Carver and Stevens.

Mr. Street agreeably to notice for leave introduced bill No. 9, entitled "A bill for an act declaring the military road running from Prairie du Chien, by Fort Winnebago to Green Bay, a public highway ;" which was read, and

On motion of Mr. Childs,

Was referred to the committee appointed to revise the laws.

Mr. Childs, from the committee to which the petitions of inhabitants of Rock and Walworth counties were referred, by leave reported bill No. 10, entitled

"A bill to lay out and establish certain territorial roads,"

Which was read the first and second time.

Mr. Childs from the select committee to which the petition of inhabitants of Rock county, praying for a ferry across Rock river at, or near the foot of Koshkenong Lake, reported,

That as much as the law organising the boards of county commissioners, and defining their jurisdiction and powers, has made ample provisions for establishing ferries and granting licenses for the same ; your committee are therefore of the opinion, that it is not expedient to grant the prayer in the said petition.

The report was adopted and the committee discharged.

Mr. Jenkins, from the select committee to whom was referred the petition of Messrs. Dunn and McFarlan for a ferry across the Wisconsin river, reported,

That in as much as the power of granting ferry licenses is vested in the county commissioners, which is deemed sufficient in ordinary cases ; your committee are, therefore, of the opinion that it is not expedient to grant the prayer contained in the said petition.

The report of the committee was adopted and the committee discharged.

On motion of Mr. Street,

Ordered, That bill No. 8, entitled "A bill to secure religious societies within this Territory in the possession of their churches and other property," be referred to the committee appointed to revise the laws.

On motion of Mr. Childs,

Ordered, That bill No. 8, (C. F.) entitled "A bill to repeal an act to authorise the boards of county commissioners of the several coun-

ties in this Territory to borrow money for the purpose of erecting court houses and jails," be referred to the committee appointed to revise the laws.

On motion of Mr. Sholes,

Bills Nos. 5 and 6 entitled as follow :

No. 5, "A bill to amend an act concerning the Supreme and District Courts," &c.

No. 6. "A bill to repeal an act entitled an act concerning judgments and executions," were considered in committee of the whole, Mr Skinner in the chair.

After a short time, the said bills were reported without amendment, and were thereupon referred to the committee appointed to revise the laws.

Mr. Baldwin from the committee on engrossed bills reported memorial No. 2, (H. of R. F.) entitled "A memorial to Congress praying for appropriations for harbors on the western shore of Lake Michigan," to be correctly engrossed.

The said memorial was then announced ready for the third reading, and was read the third time and passed.

Ordered, That the Clerk request the concurrence of the Council therein.

The Secretary of the Council being introduced, delivered the following message :

"Mr. Speaker—The Council have concurred in the several amendments by this House to bill No. 4, entitled 'A bill to incorporate the Iowa Copper Company;' bill No. 6, entitled 'A bill to provide for laying out and establishing several territorial roads therein named;' and resolution No. 7, entitled 'A resolution appointing a committee to investigate the state and condition of the several banks in this Territory.' They have also concurred in bill No. 2, of this House, entitled 'A bill to organise the counties of Manitowoc and Sheboygan,' without amendment; and in resolution, of this House, entitled 'A resolution to authorise the Attorney General to examine the title to the ground on which the Capitol stands,' with amendments. In which amendments, I am directed to ask the concurrence of this House."

And then he withdrew.

Mr. Sholes, from the committee on enrolled bills, reported the following acts to be correctly enrolled, viz :

"An act to incorporate the Iowa Copper Company."

"An act to provide for laying out and establishing several territorial roads therein named."

The Speaker signed the said acts, and ordered them to be presented to the President of the Council for his signature.

Resolution No. 5, (H. of R. F.) entitled "A resolution to authorise the Attorney General to examine the title to the ground on which the

Capitol stands," and the amendments made thereto by the Council were considered, and

On motion of Mr. Sholes,

The said amendments were concurred in.

Ordered, That the Clerk acquaint the Council therewith.

The following message was received from the Council by the Secretary thereof:

"Mr. Speaker—The Council have passed a bill, resolution and memorial of the following titles, in which I am directed to ask the concurrence of this House, viz:

"Bill No. 9, 'A bill to provide for laying out and establishing a territorial road from the northern boundary line of the State of Illinois to Madison, Wisconsin Territory.'

"Resolution No. 8, 'A preamble and resolution to terminate the present session, and to fix the time for commencing the annual session of the Legislative Assembly, for 1839.'

"Memorial No. 1, "A memorial to the Congress of the United States, praying for a donation of land for the improvement of the navigation of the Pekatoneca river;" and

"Memorial No. 2, 'A memorial to the Congress of the United States, praying the extinguishment of the title of the Menomonee Indians to lands within the Territory of Wisconsin.'"

And then he withdrew.

On motion of Mr. Barber,

The House adjourned till 3 o'clock, P. M.

3 O'CLOCK, P. M.

The following memorials from the Council were read the first and second time, viz:

No. 1, "A memorial to the Congress of the United States, praying for a donation of land for the improvement of the navigation of the Pekatoneca river.

No. 2, "A memorial to the Congress of the United States, praying the extinguishment of the title of the Menomonee Indians to lands within the Territory of Wisconsin."

The House then, on motion of Mr. Sholes, resolved itself into a committee of the whole, Mr. Newman in the chair, having said memorials under consideration.

After a short time the committee rose, and reported the memorials without amendments.

On motion of Mr. Sholes,

The following amendments were made to memorial No. 1:

In the 4th line of the 8th paragraph, strike out "effected" and insert "affected."

In the same paragraph, and near the close, strike out the word "back" and insert the word "bank."

The said memorials were then severally ordered to be engrossed and read the third time.

Bill No. 9, (C. file,) entitled "A bill to provide for laying out and establishing a territorial road from the northern boundary line of the State of Illinois, to Madison, Wisconsin Territory," was read the first and second time, and considered in committee of the whole, Mr. Dewey in the chair.

After a short time the committee rose, and by its chairman, reported the bill to the House without amendment.

On motion of Mr. Street,

Rules 16 and 18 were suspended, with reference thereto; and

The bill was read the third time, passed, and the title thereof agreed to.

Ordered, That the Council be informed thereof.

Resolution No. 8, (C. file,) entitled "A preamble and resolution to terminate the present session, and to fix the time for commencing the annual session of the Legislative Assembly for 1839," was read the first and second time by its title.

On motion of Mr. Sholes,

The House considered said preamble and resolution in the committee of the whole, Mr. Billings in the chair.

After a short time the committee rose, and, by its chairman, reported the same to the House without amendment.

On motion of Mr. Street,

Ordered, That said preamble and resolution do lie on the table until to-morrow.

Mr. Sholes, from the committee on enrolled bills, reported "A resolution appointing committees to investigate the state and condition of the several banks in this Territory," to be correctly enrolled.

The Speaker signed said resolution and

Ordered it to be presented to the President of the Council for his signature.

On motion of Mr. Childs,

The House adjourned.

Friday, December 14, 1838.

Mr. Cruson presented the account of Frederick Hollman, against the Territory, for services rendered in 1836.

Referred to the committee on expenses.

Mr. Sholes, from the committee on Engrossed Bills, reported resolution No. 5, (C. F.) entitled "A resolution to authorise the District Attorney for the Territory of Wisconsin, to examine the title to the ground on which the Capitol stands," to be correctly enroled.

The said resolution was then presented to, signed by the Speaker, and ordered to be presented to the President of the Council for his signature.

Mr. Baldwin, from the committee on Engrossed Bills, reported memorials of the following titles to be correctly engrossed, viz :

No. 1. "A memorial to the Congress of the United States, praying for a donation of land for the improvement of the navigation of the Pekatonica river."

No. 2. "A memorial to the Congress of the United States, praying the extinguishment of the title of the Menomonee Indians to lands within the Territory of Wisconsin."

The said memorials were then announced ready for the third reading, and were read the third time and passed.

Ordered, That the Council be informed thereof, and be requested to concur in the amendments made to the first named memorial.

Mr. Sholes, from the committee on enroled bills, reported "An act to organize the counties of Manitouwoc and Sheboyagan," to be correctly enroled.

The Speaker signed the said act, and ordered it to be presented to the President of the Council for his signature.

Mr. Billings gave notice that he should, on to-morrow, ask leave to bring in a bill to incorporate the Dodgeville Mining Company.

On motion of Mr. Billings,

The House adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

On motion of Mr. Street,

The House proceeded to consider a preamble and resolutions, No. 8, entitled "A preamble and resolutions to terminate the present session and to fix the time for commencing the annual session of the Legislative Assembly, for 1839."

Mr. Sholes moved the following amendment :

Strike out in the second resolution seventh line the word "twentieth" and insert in lieu thereof the words "twenty-first:"

And the question being taken, it passed in the affirmative.

Mr. Childs moved to strike out in the second resolution, seventh line, the words, "Wednesday the nineteenth," and insert in lieu thereof, the words "Saturday the twenty-second."

Mr. Churchill moved to amend the amendment, by striking out the "19th" and inserting the "24th."

The question was taken on the amendment to the amendment, and decided in the negative.

The question was then taken on the amendment offered by Mr. Childs, and was decided in the affirmative.

A division being called for, there were ayes 12, noes 11.

Mr. Billings moved that the preamble and resolutions be laid on the table.

And on this question, the ayes and noes were called for.

Mr. Sholes then moved the previous question.

The previous question was then put in these words:

"Shall the main question be now put?" and the ayes and noes have been called, were as follow:

Ayes—Messrs. Beardsley, Brunson, Childs, Conroe, Cruson, Dewey, Hoyt, Jenkins, Newman, Sholes, Shackelford, Skinner, Stevens, Sutherland, Street and Whiton—16.

Noes—Messrs. Barber, Billings, Baldwin, Churchill, Carver, McGregor, Shew, Story and Blackstone (Spkr.)—9.

The main question was then put in these words:

"Shall the preamble and resolutions be engrossed and read the third time?" and the ayes and noes being called for, were as follow:

Ayes—Messrs. Beardsley, Brunson, Childs, Conroe, Cruson, Dewey, Hoyt, Jenkins, Newman, Sholes, Shackelford, Skinner, Stevens, Sutherland, Street and Whiton—16.

Noes—Messrs. Barber, Billings, Baldwin, Churchill, Carver, McGregor, Shew, Story, and Blackstone (Spkr.)—9.

So the resolutions and preamble were ordered to be engrossed for a third reading.

On motion of Mr. Whiton,

The House resolved itself into the committee of the whole for the consideration of bill No. 10, (H. of R. file) entitled "A bill to lay out and establish certain territorial roads," Mr. Childs in the chair.

After a short time the committee rose, and by its chairman, reported the bill to the House with amendments.

The report of the committee was agreed to, and the bill was ordered to be engrossed and read the third time.

Mr. Baldwin, from the committee on engrossed bills, reported a preamble and resolutions No. 8, entitled "A preamble and resolutions to terminate the present session, and to fix the time for commencing

the annual session of the Legislative Assembly for 1839," to be correctly engrossed.

The said preamble and resolutions were then announced, by the Speaker, ready for the third reading, and were read the third time.

Mr. Carver moved that the said preamble and resolutions be laid on the table.

The previous question was then called for by Mr. Sholes, and was ordered to be put—Ayes 16, Noes 9.

The main question was then put in these words:

"Shall the said preamble and resolutions pass?" And was decided in the affirmative.

The ayes and noes being called for, those who voted in the affirmative are,

Messrs. Beardsley, Brunson, Childs, Conroe, Dewey, Hoyt, Jenkins, Newman, Sholes, Shackelford, Skinner, Stevens, Sutherland, Street and Whiton—15.

Those who voted in the negative are, Messrs. Barber, Billings, Baldwin, Churchill, Cruson, Carver, McGregor, Shew, Story and Blackstone, (Spkr.)—10.

The title to the preamble and resolutions was then agreed to.

Ordered, That the clerk request the Council to concur in the amendments made to said resolutions.

Mr. Billings gave notice that on to-morrow he should ask leave to introduce a bill to amend an act entitled "An act in relation to the evidences of title to lands in the Territory of Wisconsin."

Mr. Sutherland gave notice that on to-morrow he should by leave introduce a bill to provide for laying out and establishing a territorial road from Beloit, via. Janesville and Aztalan, to Watertown,

On motion of Mr. Shew,

The House adjourned.

Saturday, December 15, 1838.

The Secretary of the Council being introduced, delivered the following message:

"Mr. Speaker—The Council have passed several bills, a memorial and resolution, of the following titles, viz: No. 3, a bill relating to interest; No. 10, a bill authorizing a loan for the benefit of settlers upon the public lands in the Milwaukee land district; No. 13, a bill to amend 'an act to establish and regulate ferries in the county of Milwaukee, and the counties thereto attached for judicial purposes.'

No. 15, a bill to provide for the construction of a bridge across the Milwaukee river in the town of Milwaukee,

Memorial No. 3, a memorial to the United States praying for the appropriation of moneys to be applied to the construction of harbors and light-houses on Lake Michigan. Resolution No. 6, a resolution to authorize the location of a portion of the University lands; and have concurred in bill No. 1, of this House entitled 'a bill to repeal so much of an act entitled 'an act to divide the county of Iowa as establishes the seat of justice of the county of Green at New Mexico, and to provide for the location of the seat of justice of the county of Green;' and a preamble and resolutions No. 4, concerning surveys to be made of the public lands north of the Wisconsin and east of the Mississippi rivers, with amendments to each, in which bills and amendments I am directed to ask the concurrence of this House.

The Governor has notified the Council that he did examine and approve on the 13th inst. the following acts, viz :

An act to incorporate the Iowa Copper Company.

"An act to provide for laying out and establishing several territorial roads therein named; and

"An act to legalize the proceedings of the board of commissioners of the county of Milwaukee."

And then he withdrew.

The Speaker laid before the House a message from the Governor, returning a resolution with his approval, entitled, "A resolution to authorize the District Attorney of the United States for the Territory of Wisconsin, to examine the title to the ground, on which the Capitol stands."

Mr. Barber presented the petition of inhabitants of Milwaukee, Walworth and Rock counties, praying for a Territorial road from Milwaukee, via. Elk Horn, to Beloit, on Rock River.

Referred to the following select committee, viz :

Messrs. Barber, Whiton and Beardsley.

Mr. Barber presented a petition of inhabitants of the county of Washington, praying the removal of the county seat of said county.

Referred to the following select committee, viz :

Messrs. Barber, Childs and Story.

Mr. Whiton, from the select committee to whom the petition of the inhabitants of Rock county was referred, reported bill No. 11, (H. R. file,) entitled

"A bill to provide for laying out and establishing a Territorial road from the south line of the Territory, in the town of Beloit, in the county of Rock, to Madison, in the county of Dane."

Mr. Billings, agreeably to notice for leave, introduced bill No. 12, entitled,

"A bill to incorporate the Dodgeville Mining Company."

Mr. Sutherland, agreeably to notice, introduced bill No. 13,

"A bill to provide for laying out and establishing a Territorial road from Beloit, via. Janesville and Aztalan, to Watertown."

Mr. Skinner, from the committee to which the subject was referred, reported memorial No. 3, entitled,

"A memorial to Congress, praying the passage of a law, granting pre-emption to the settlers on the line of the Milwaukee and Rock river canal."

On motion, The said bills and memorial were read the first and second time.

On motion of Mr. Barber,

Memorial No. 3, was ordered to be printed.

The following message was received from the Council, by the Secretary thereof:

Mr. Speaker,—The Council have passed a bill and resolution of the following titles, viz:

No. 16, "A bill to provide for laying out a Territorial road from Madison to the State line of Illinois;" and

Resolution No. 9, "Joint resolution relating to the enacting clause."

And have concurred in bill No. 4. of this House, 'A bill for an act entitled an act to prevent horses in certain cases from running at large,' with amendments thereto; in which bill, resolution and amendments, I am directed to ask the concurrence of this House."

And then he withdrew.

On motion of Mr. Carver,

The following bills, resolutions, and memorial from the Council were taken up and severally read the first and second time by their titles, viz:

Bill No. 3. "A bill relating to interest."

Bill No. 10, entitled "A bill authorising a loan for the benefit of settlers, upon the public lands in the Milwaukee land district."

Bill No. 13. "A bill to amend 'an act to establish and regulate ferries in the county of Milwaukee, and the counties thereunto attached; for judicial purposes.'"

Bill No. 15. "A bill to provide for the construction of a bridge across the Milwaukee river in the town of Milwaukee."

Bill No. 16. "A bill to provide for laying out a territorial road from Madison to the state line of Illinois."

Resolution No. 6. "A resolution to authorise the location of a portion of the University lands."

Resolution No. 9. "Joint resolution relating to the enacting clause."

Memorial No 3. "A memorial to the Congress of the United States, praying for the appropriation of monies to be applied to the construction of harbors and light-houses on Lake Michigan,"

The said memorial was then ordered to lie on the table.

The several amendments made by the Council to the following bills and resolutions, were read and concurred in, viz:

No. 1. "A bill to repeal so much of an act entitled an act to divide the county of Iowa, as establishes the seat of justice of the county of

Green at New Mexico, and to provide for the location of the seat of justice of the county of Green."

No. 4. "A bill to prevent Stallions in certain cases from running at large."

No. 4. "Preamble and resolutions concerning surveys to be made of a portion of the public lands north of the Wisconsin and Fox, and east of the Mississippi rivers."

Ordered, That the Council be informed thereof.

On motion of Mr. Stevens,

The House considered bill No. 10, (C. file) entitled "A bill authorizing a loan for the benefit of settlers upon the public lands in the Milwaukee land district," in committee of the whole, Mr. Brunson in the chair.

After some time the committee rose, and reported the progress made therein, and asked leave to sit again on Monday next.

Leave was granted.

On motion of Mr. Dewey,

The House adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

The Secretary of the Council being introduced, delivered the following message :

"Mr. Speaker,—The Council have concurred in bill No. 3, of this House, 'A bill to provide for the destruction of Wolves,' with amendments thereto, in which they have directed me to ask the concurrence of this House.

"They have also concurred in the amendments made to resolution No. 8, 'A preamble and resolution to terminate the present session and to fix the time of the annual session of the Legislative Assembly for 1839.'

And then he withdrew.

Mr. Sholes, from the committee on Enrolled Bills, reported the following act and memorial (C. file) as correctly enrolled, viz :

"An act to provide for laying out and establishing several Territorial roads from the northern boundary line of the state of Illinois to Madison, Wisconsin Territory."

"A memorial to the Congress of the United States, praying the extinguishment of the title of the Menomonee Indians to lands within the Territory of Wisconsin."

The said act and memorial were signed by the Speaker and ordered to be presented to the President of the Council for his signature.

On motion of Mr. Billings,

The House resolved itself into the committee of the whole, Mr. McGregor in the chair, for the consideration of bill No. 16, (C. file) en-

titled "A bill to provide for laying out a Territorial road from Madison to the state line of Illinois."

After sometime the committee rose and, by their chairman, reported the said bill to the House with an amendment.

The report was agreed to.

The bill was then ordered to be engrossed for a third reading.

Mr. Baldwin, from the committee on Engrossed Bills, reported bill No. 10, (H. of R. file,) entitled

"A bill to lay out and establish certain Territorial roads," as correctly engrossed.

Bill No. 3, (H. R. file) entitled "A bill to provide for the destruction of Wolves," was taken up, and the amendments of the Council made thereto were concurred in.

Ordered, That the Council be informed thereof.

Bill No. 10, (H. R. file,) entitled "A bill to lay out and establish certain Territorial roads," was read the third time, passed, and the title agreed to.

Ordered, That the Council be requested to concur therein.

On motion of Mr. Billings,

The House considered the following resolutions (Council file,) in the committee of the whole, Mr. Whiton in the chair, viz:

No. 6, "A resolution to authorize the location of a portion of the University lands;" and

Resolution No. 9, "Joint resolution relating to the enacting clause."

After some time the committee rose and, by their chairman, reported resolution No. 9, to the House without amendment, and asked leave to sit again in reference to resolution No. 6, on Monday next.

The report of the committee was agreed to.

On motion of Mr. Childs,

Resolution No. 9, relating to the enacting clause, was indefinitely postponed.

Ordered, That the Council be informed thereof.

On motion of Mr. Barber,

The House considered bill No. 15, (Council file,) "A bill to provide for the construction of a bridge across the Milwaukee river," in the committee of the whole, Mr. Billings in the chair.

After some time the committee rose and reported the bill to the House with an amendment.

The report of the committee was agreed to, and the bill ordered to be engrossed for the third reading.

On motion of Mr. Street,

The House adjourned.

Monday, December 17, 1838.

The Speaker laid before the House the following message from the Executive :

“EXECUTIVE DEPARTMENT,
December 17th, 1838. }

“To the Hon. the Speaker of the House of Representatives :

“SIR—I have this day examined and approved ‘An act to organize the counties of Manitowoc and Sheboygan,’ and herewith transmit the same to the House of Representatives, where it originated,

“Very respectfully, your ob’dt ser’vt,

“HENRY DODGE.”

A communication was received from James G. Edwards, in relation to the printing of the laws, which was referred to a joint committee of two from each House.

Messrs. Childs and Carver were appointed the committee on the part of this House.

Ordered, That the Council be informed thereof, and be requested to concur in the appointment of a joint committee.

Mr. Billings presented petitions from miners in regard to mineral lands, praying for a redress of grievances, which were referred to the following select committee, viz :

Messrs. Billings, Carver and Childs.

Mr. Childs, from the committee of Arrangements, presented the account of Henry Merrill for stationary.

Referred to the committee on expenses.

On motion of Mr. Childs,

Resolved, That this House will not receive any original matter for their consideration, during the present session, after Wednesday next.

Mr. Baldwin, from the committee on Engrossed Bills, reported the following bills as correctly engrossed, viz :

Bill No. 15, (C. file,) “A bill to provide for the construction of a bridge across the Milwaukee river, in the town of Milwaukee.”

Bill No. 16, (C. file,) “A bill to provide for laying out a Territorial road from Madison to the State line of Illinois.”

On motion of Mr. Childs,

The said bills were read the third time, passed, and the title thereof agreed to.

Ordered, That the Council be requested to concur in the amendments made by this House to the said bills.

On motion of Mr. Barber,

Memorial No. 1, entitled "A memorial of the Legislative Assembly of Wisconsin to Congress, praying that the term of members of the Council may be changed from four to two years, and that of the members of the House of Representatives from two to one year," was considered in committee of the whole, Mr. Story in the chair.

After some time the committee rose, and, by their chairman, reported the memorial without amendment.

The report was agreed to, and the memorial was ordered to be engrossed for the third reading.

Bill No. 10, (C. file,) entitled "A bill to authorize a loan for the benefit of settlers upon the public lands in the Milwaukee land district," was considered in the committee of the whole, Mr. Baldwin in the chair.

After some time the committee rose, and, by their chairman, reported the progress made therein, and asked leave to sit again.

Leave was granted.

Mr. Barber gave notice that, on to-morrow, he should ask leave to bring in "A bill authorizing the Commissioners of Milwaukee county to procure certain records of titles therein mentioned."

On motion of Mr. Dewey,

The House adjourned till 3 o'clock, P. M.

3 O'CLOCK, P. M.

On motion of Mr. Churchill,

The House resolved itself into the committee of the whole, for the consideration of memorial No. 3, (H. R. file,) entitled "A memorial to Congress, praying the passage of a law granting pre-emption to the settlers on the line of the Milwaukee and Rock River Canal," Mr. Street in the chair.

After some time the committee rose, and, by their chairman, reported said memorial without amendment.

The report of the committee was agreed to, and the said memorial was ordered to be engrossed for a third reading.

The Secretary of the Council being introduced, delivered the following message:

"Mr. Speaker,—The Council have concurred in memorial No. 2, of this House, entitled 'A memorial to Congress praying for appropriations for Harbors, on the western shore of Lake Michigan,' with amendments thereto. Also, in the amendments of this House to bill No. 15, 'A bill to provide for the construction of a bridge across the Milwaukee river, in the town of Milwaukee,' with an amendment thereto; and No. 16, 'A bill for laying out a Territorial road from Madison to the State line of Illinois.' In which amendments, they ask the concurrence of this House.

"The Council have appointed Messrs. Strong and Prentiss the committee, on their part, to act in conjunction with the committee of this House, in relation to the communication received from J. G. Edwards, on the subject of the printing of the Laws."

And then he withdrew.

On motion of Mr Billings,

The House resolved itself into the committee of the whole for the consideration of bill No. 7, (H. R. file,) entitled "A bill to incorporate the State Bank of Wisconsin," Mr. Carver in the chair.

After some time the committee rose, and, by their chairman, reported the progress made therein, and asked leave to sit again.

Leave was granted.

Mr. Sholes, from the committee on Enrolled Bills, reported a preamble and resolution, entitled "A preamble and resolution concerning surveys to be made of a portion of the public lands north of the Wisconsin and Fox, and east of the Mississippi rivers," to be correctly enrolled.

The Speaker signed the said preamble and resolution, and ordered it to be presented to the President of the Council for his signature.

Mr. Baldwin, from the committee on Engrossed Bills, reported the following memorials as correctly engrossed, viz :

Memorial No. 1, (H. of R. file,) "A memorial of the Legislative Assembly of the Territory of Wisconsin to Congress, praying that the term of members of the Council may be changed from four to two years, and that of the members of the House of Representatives from two to one year."

Memorial No. 3, (H. of R. file,) "A memorial to Congress, praying the passage of a law granting pre-emption to the settlers on the line of the Milwaukee and Rock River canal."

Mr. Conroe gave notice that, on some future day, he should ask leave to introduce "A bill to provide for the construction of a canal from the head of the navigable waters of Manitowoc river to the most eligible point on Lake Winnebago."

Mr. Childs gave notice that, on some future day, he should ask leave to introduce a bill to amend an act, entitled "An act to incorporate the Wisconsin Mineral and Transportation Company."

On motion of Mr. McGregor,

The House adjourned.

Tuesday, December 18, 1838.

The Speaker announced the appointment of the following committees, on the part of this House, under the joint resolution of the two Houses, requiring committees to be selected to investigate the state and condition of the Banks in this Territory, viz:

Messrs. Barber and Carver, to investigate the Banks of Mineral Point and Milwaukee; and Messrs. Billings and Conroe, to investigate the Bank of Wisconsin.

Ordered, That the Council be informed thereof.

The following petitions were presented and referred:

By Mr. Whiton. The petition of citizens of Rock county, praying for the incorporation of the "Beloit Manufacturing Company."

Referred to the committee on Corporations.

By Mr. Skinner. The petition of Jacob Bigelow, Thomas Tyrrell and Jonathan Burr, and their associates, praying for the incorporation of the "Western Agricultural Company."

Referred to the committee on Territorial Affairs.

By Mr. Beardsley. The petition of the inhabitants of Milwaukee, Walworth and Rock counties, for a Territorial road.

Referred to the following select committee, viz:

Messrs. Barber, Whiton and Beardsley.

By Mr. Childs. The petition of B. L. Webb, and others, praying for an act to amend an act, incorporating the Wisconsin Mineral and Transportation Company.

Laid on the table.

Mr. Barber offered the following resolution:

Resolved, By the Council and House of Representatives, that the Post Master of this place be, and he is hereby authorized to continue the contract made with the mail contractor on route No. 2904, for carrying the mail to Milwaukee and back once a week extra, until the close of the next session of the Legislative Assembly.

The resolution was read the first time and laid on the table.

Mr. Childs offered the following resolution, which was read the first time and laid on the table.

Resolved, By the Council and House of Representatives, that the committees appointed to investigate the affairs of the several banks in this Territory, be required to publish or cause to be published in the Wisconsin Inquirer printed at this place, a fair and correct statement of the situation of the different banks as soon as an investigation shall have been had.

Mr. Sholes, from the joint committee on Enrolled Bills, reported the following acts, memorial, preamble, and resolutions, to be correctly enrolled, viz:

"An act to repeal so much of an act entitled 'an act to divide the county of Iowa,' as establishes the seat of Justice of the county of Green, at New Mexico, and to provide for the location of the seat of Justice of the county of Green."

"An act to provide for the destruction of wolves."

"An act to prevent stallions in certain cases from running at large."

"A memorial to the Congress of the United States, praying for a donation of land for the improvement of the Navigation of the Pekatonica River."

"A preamble and Resolution to terminate the present session, and to fix the time for commencing the annual session of the Legislative Assembly for 1839."

"A preamble and resolutions concerning surveys to be made of a portion of the public lands north of the Wisconsin and Fox, and east of the Mississippi rivers."

The Speaker signed the said acts, memorial, preambles and resolutions, and ordered them to be presented to the President of the Council for his signature.

Mr. Conroe from the committee on Internal Improvements, reported memorial No. 4, (H. R. file) entitled "A memorial to Congress for the improvement of the Mississippi, Wisconsin, and Platte rivers."

Read and laid on the table.

Bills were reported from the select committees, read, laid on the table, and the committees discharged, as follow:

By Mr. Billings, No. 4, "A bill to amend an act in relation to the evidences of the title to lands in the Territory of Wisconsin."

By Mr. Whiton, No. 15, "A bill to provide for laying out and establishing a territorial road from Milwaukee to Beloit, in the county of Rock."

Bills were introduced agreeably to notice for leave, read and laid on the table, as follow:

By Mr. Childs, No. 16, "A bill to amend an act entitled 'an act to incorporate the Wisconsin Mineral and Transportation Company.'"

By Mr. Barber, No. 17, "A bill authorising the Commissioners of Milwaukee county, to procure certain records of titles therein mentioned."

On motion of Mr. Whiton,

The House considered bill No. 10, (C. file) entitled "A bill authorising a loan for the benefit of settlers upon the public lands in the Milwaukee land district," in the committee of the whole, Mr. Dewey in the chair.

A message from the Council being announced, the Speaker resumed the chair, when the following message was received:

"Mr. Speaker—The Council have passed bills and a memorial of the following titles, to wit:

No. 17. A bill to amend the several acts relative to the admission of Attornies and Counsellors at law.

No. 18. A bill to change the corporate name of the Wisconsin University of Green Bay, and for other purposes.

No. 20. A bill to provide for the election of a Territorial Printer, And

Memorial No 6. A memorial praying Congress to grant to the Brothertown and Stockbridge Indians the title to their lands in fee, and the privileges of citizenship.

In which bills and memorial, I am directed to ask the concurrence of this House.

The Governor has notified the Council that he did on this day examine and approve the following, viz:

An act to provide for laying out and establishing a territorial road from the northern boundary line of the state of Illinois, to Madison, Wisconsin Territory. And

A memorial to the Congress of the United States, praying the extinguishment of the title of the Menomonee Indians to lands within the Territory of Wisconsin."

And then he withdrew.

The committee again resumed its session, and after some time spent therein, rose, and reported the bill, with amendments.

On motion of Mr. Carver,

The House adjourned until 3 o'clock P. M.

3 O'CLOCK, P. M.

The House resumed the consideration of bill No. 10, (C. F.)

Mr. McGregor moved the following amendment:

Strike out in the first section, third line, the words "Territory of Wisconsin" and insert the words "counties of Milwaukee and Racine."

The amendment was not adopted.

Mr. Billings, then called for the previous question, which was ordered.

The main question was then put on agreeing to the report of the committee of the whole, and was decided in the affirmative.

Mr Brunson offered the following amendment.

Add the following to the bill in place of section thirteen.

"Sec. 13. That the several counties enjoying the benefits of this act, shall indemnify and save harmless the Territory of Wisconsin from all costs and losses, that may accrue in consequence of the faith of the Territory being pledged as aforesaid—and if a surplus shall remain after paying the loan and interest, agreeably to the provisions of this act, the same shall be divided among such counties, respectively, according to the amount expended in each."

Mr. Whiton moved a call of the House.

The roll was then called and the absent members sent for.

The absent members having appeared, the question was put on agreeing to the amendment.

And the ayes and noes being called for, were taken and were as follow.

Ayes—Messrs. Barber, Beardsley, Billings, Baldwin, Brunson, Conroe, Churchill, Cruson, Carver, Dewey, Hoyt, Jenkins, McGregor, Newman, Shackelford, Skinner, Story, Sutherland, Street, and Blackstone (Speaker)—20.

Noes—Messrs. Childs, Sholes, Shew, Stevens, and Whiton—5.

So the amendment was adopted.

On motion of Mr. Brunson,

The bill was further amended by changing the number of section thirteen, as reported, to section fourteen.

The question then recurred on engrossing the bill for the third reading, and the ayes and noes being called for, by Mr. Street, were taken and were as follow :

Ayes :—Messrs. Barber, Beardsley, Childs, Conroe, Churchill, Hoyt, Newman, Sholes, Shew, Skinner, Story, Stevens, Whiton and Blackstone, speaker—14.

Noes :—Messrs. Billings, Baldwin, Brunson, Cruson, Carver, Dewey, Jenkins, McGregor, Shackelford, Sutherland and Street—11.

So the bill was ordered to be engrossed.

On motion of Mr. Cruson,

The House resolved itself into the committee of the whole, Mr. Conroe in the chair, having bill No. 7 under consideration, entitled "A bill to incorporate the State Bank of Wisconsin."

After some time the committee rose, and, by its chairman, reported the bill to the House, with amendments.

Mr. Childs moved that the bill be committed to a select committee, to consist of one from each election district, and that the committee be instructed to report on the second Monday of the next session.

Mr. Barber moved to amend the motion, by striking out "second Monday of next session:" and inserting "to-morrow."

The amendment to the motion was disagreed to.

The question was then taken, on the motion of Mr. Childs, and the ayes and noes being called for, were as follow :

Those who voted in the affirmative, are

Messrs. Brunson, Childs, Conroe, Churchill, Hoyt, Newman, Sholes, Shackelford, Shew, Skinner, Stevens and Whiton—12.

Those who voted in the negative, are

Messrs. Barber, Beardsley, Billings, Baldwin, Cruson, Carver, Dewey, Jenkins, McGregor, Story, Sutherland, Street and Blackstone, speaker—13.

So the motion to refer was lost.

Mr. Cruson moved that the bill be referred to a select committee.

Mr. Shackelford moved to amend the motion by adding thereto, the following words: "to consist of one from each election district, and that said committee report on the third day of the next session."

Mr. Sholes called for the Ayes and Noes.

The question was then taken on the amendment to the amendment, and the ayes and noes were as follow:

Ayes:—Messrs. Brunson, Childs, Conroe, Churchill, Hoyt, Newman, Sholes, Shackelford, Shew, Skinner, Stevens, Sutherland and Whiton—13.

Noes:—Messrs. Barber, Beardsley, Billings, Baldwin, Cruson, Carver, Dewey, Jenkins, McGregor, Story, Street and Blackstone, Speaker—12.

On motion of Mr. Street,

The House adjourned.

Wednesday, December 19, 1838.

On motion of Mr. Childs,

Resolved, That John Catlin, Chief Clerk, and A. W. Wright, Assistant Clerk, of this House, be allowed the sum of six dollars per day for the faithful discharge of their duties during the present session; and that all other officers of this House be allowed the sum of four dollars per day, for their services during the present session.

On motion of Mr. Dewey,

Resolved, That the Speaker of this House be allowed the sum of three dollars per day, extra, for the able and satisfactory manner in which he has discharged his duty, as Speaker of this House, during the present session.

On motion of Mr. Street,

Resolved, That the sum of three dollars per day, extra, be allowed to the Hon. E. Childs, as a compensation for the able and satisfactory manner in which he discharged the duties of Speaker, pro tem., during the illness of the Speaker.

Mr. Hoyt, from the select committee to which the petition of the inhabitants of Racine, Rock and Dane counties was referred, reported Bill No. 18, entitled "A bill for a road from Racine to Madison."

The report was accepted and the committee discharged.

Mr. Street, from the committee on Schools, reported

Memorial No. 5, entitled "A memorial to Congress relating to the sixteenth section."

The report was accepted, and

On motion of Mr. Dewey,

The memorial was read the first and second time.

Mr. Billings, from the committee on Corporations, reported Bill No. 19, entitled "A bill to incorporate the Beloit Manufacturing Company."

Which was read, on motion of Mr. Whiton, the first and second time.

Mr. Childs, from the committee on Engrossed Bills, reported Bill No. 10, (C. file,) to be correctly engrossed, entitled "A bill authorizing a loan for the benefit of settlers, upon the public lands, in the Milwaukee land district."

Mr. Childs presented the accounts of John Catlin & Co., and of Wisconsin Democrat.

Referred to committee on Expenses.

Mr. Hoyt, from the select committee, to whom was referred the petition of inhabitants of Rock county, praying for the right to keep a ferry on Rock River at St. George's Rapids, reported

That considering that the power of granting licenses to keep ferries is vested in the Board of County Commissioners, it is inexpedient to grant the prayer of said petitioners.

The report was accepted, and the committee discharged.

On motion of Mr. Carver,

Resolution No. 6, (H. R. file,) was read the first and second time, entitled "A resolution relating to the transportation of the mail from Madison to Milwaukee."

The House then resolved itself into the committee of the whole, for the consideration of said resolution, Mr. Jenkins in the chair.

After a short time the committee rose, and, by their chairman, reported the resolution with an amendment.

The amendment was agreed to, and the resolution was ordered to be engrossed for a third reading.

On motion of Mr. Dewey,

Memorial No. 4, entitled "A memorial to Congress for the improvement of the Mississippi, Wisconsin and Platte Rivers," was read the first and second time.

The House then resolved itself into the committee of the whole, on bill No. 12, entitled "A bill to incorporate the Dodgeville Mining Company," Mr. Cruson in the chair.

After some time, the committee rose, and reported the bill to the House with amendments.

The report of the committee was agreed to.

Mr. Shackelford offered the following amendment:

After the word "years" in the fourth line of the first section, insert, "unless this charter be sooner reported by the Legislature."

And pending the question thereon, the following message was received from the Council by the Secretary thereof:

"Mr. Speaker,—The Council have passed bill No. 11, "A bill relating to the Judicial District," and have concurred in bill No. 10, of this House, "A bill to lay out and establish certain territorial roads," with an amendment thereto; in which bill and amendment I am directed to ask the concurrence of this House.

"The President has appointed Mr. Wells, of Milwaukee, to investigate the affairs of the Bank of Wisconsin; and Mr. Vineyard, of Grant, to investigate the affairs of the Banks of Mineral Point and Milwaukee, to act in conjunction with the members of the committees appointed on the part of this House, to investigate the state and condition of the several banks in this Territory."

And then he withdrew.

The question was then put on agreeing to the amendment offered by Mr. Shackelford, and the ayes and noes being called for were taken, and were as follow:

Ayes,—Messrs. Brunson, Conroe, Churchill, Carver, Dewey, Hoyt, McGregor, Newman, Sholes, Shackelford, Shew, Skinner, Story, Stevens, Sutherland and Whiton,—16.

Noes,—Messrs. Barber, Beardsley, Billings, Childs, Cruson, Jenkins, and Blackstone, (Speaker),—7.

On motion of Mr. Dewey,

The following amendment was made to the bill.

Insert in the third section, first line, after the word "be," the words following, "confined to the present limits of the present county of Iowa and."

Mr. Shackelford offered the following amendment.

In Section 7, third line, strike out all after the word "whenever," and insert "in the opinion of the Legislature, the interests of the people may require it."

The ayes and noes being called for on the question of agreeing to the amendment, were as follow:

Ayes,—Messrs. Brunson, Conroe, Churchill, Carver, Dewey, Hoyt, McGregor, Newman, Sholes, Shackelford, Shew, Skinner, Story, Stevens, Sutherland and Whiton,—16.

Noes,—Messrs. Barber, Beardsley, Billings, Childs, Cruson, Jenkins, Street, and Blackstone, Speaker,—8.

Mr. Conroe offered an amendment to the sixth section, in the seventh line, and pending the question thereon, the bill was, on motion of Mr. Billings, laid on the table.

Mr. Sholes from the committee on Enrolled Bills, reported "An act to provide for laying out a territorial road from Madison to the State line of Illinois," to be correctly enrolled.

The Speaker signed the said act, and ordered it to be presented to the President of the Council for his signature.

The amendments made by the Council to memorial No. 2, entitled "A memorial to Congress praying for appropriations for harbors," &c. and to bill No. 10, entitled "A bill to lay out and establish certain territorial roads," of this House, were concurred in.

Ordered, That the Council be acquainted therewith:

Mr. Childs, from the committee on Engrossed Bills, reported resolution No. 6, entitled "Resolution relating to the transportation of the mail from Madison to Milwaukee," to be correctly engrossed.

On motion of Mr. Story,

The House adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

On motion of Mr. Sutherland,

Bill No. 13, (H. R. F.) entitled "A bill to provide for laying out and establishing a territorial road from Beloit, via Janesville, and Aztalan to Watertown," was considered in the committee of the whole, Mr. Beardsley in the chair.

After some time the committee rose, and, by their chairman reported the bill with an amendment.

The amendment was agreed to, and the bill ordered to be engrossed for a third reading.

On motion of Mr. Street,

The House resolved itself into the committee of the whole, Mr. Carver in the chair, for the consideration of the following memorials, (H. R. F.) viz :

No. 4. "A memorial to Congress for the improvement of the Mississippi, Wisconsin and Platte rivers," and

No. 5. "A memorial in relation to the sixteenth sections."

After some time the committee rose, and reported memorial No. 4, with an amendment, and memorial No. 5, without amendment.

The report of the committee was agreed to, and the said memorials were ordered to be engrossed and read the third time.

The following message was received from the Council by the Secretary thereof :

"Mr. Speaker--The Council have passed bills, resolutions, and a memorial as follow, to wit :

"No. 19. 'A bill to locate several territorial roads therein named :

"Resolution No. 10. 'A resolution requesting the Secretary of the Territory to forward copies of memorials to Congress.'

"Resolution No. 11. 'Resolutions calling on the Secretary of the United States Treasury, for certain statements therein mentioned, and for other purposes :' and

"Memorial No. 7. 'A memorial to the Congress of the United States asking a confirmation of the titles to lots one, two and three, in section thirty-two, town seven, range twenty-two, in the county of Milwaukee :

"In which I am directed to ask the concurrence of this House."

And then he withdrew.

On motion of Mr. Billings,

Bill No. 14, entitled "A bill to amend an act entitled an act in relation to the evidences of titles to lands in the Territory of Wisconsin," was read the first and second time.

Bill No. 15, (C. F.) entitled "A bill to provide for the construction of a bridge across the Milwaukee river in the town of Milwaukee," was taken up, and

On motion of Mr. Barber,

The following amendments were made to the amendment of the Council, viz :

Insert after the word "bridge," in the amendment, the words following :

"Between Chesnut and Division streets."

Strike out "May," in the last line, and insert "June."

Ordered, That the Council be requested to concur therein.

On motion of Mr. Barber,

The following bills and memorial (C. F.) were read the first and second time by their titles, viz :

No. 11, "A bill relating to Judicial Districts."

No. 17. "A bill to amend the several acts, relative to the admission of Attorneys and Counsellors at law."

No. 18. "A bill to change the corporate name of the Wisconsin University of Green Bay and for other purposes."

No. 20. "A bill to provide for the election of a territorial printer ;" and

Memorial No. 6. "A memorial praying Congress to grant to the Brothertown and Stockbridge Indians the title to their lands in fee, and the privileges of citizenship."

Mr. Dewey from the committee on Engrossed Bills, reported bill No. 13, entitled "A bill to provide for laying out and establishing a territorial road from Beloit, via. Janesville, and Aztalan to Watertown, to be correctly engrossed."

On motion of Mr. Sholes,

The house considered bill No. 11, (C. F.) entitled "A bill relating to the Judicial Districts" in the committee of the whole, Mr. Brunson in the chair.

After a short time the committee rose and reported the bill with amendments.

The amendments were agreed to, and the bill was ordered to be engrossed for a third reading.

Bill No. 10, (C. F.) entitled "A bill authorising a loan for the benefit of settlers, upon the public lands in the Milwaukee land district," was read the third time, and on the question, "shall the bill pass?"

The ayes and noes were called for and were as follow :

Ayes—Messrs. Barber, Beardsley, Childs, Conroe, Churchill, Hoyt, Newman, Sholes, Shew, Skinner, Story, Stevens, and Whiton—13.

Noes—Messrs. Billings, Brunson, Cruson, Carver, Dewey, Jenkins, McGregor, Shackelford, Sutherland, Street, and Blackstone (Speaker)—11.

Mr. Whiton moved to amend the title by striking out "Milwaukee land district," and inserting "Territory of Wisconsin."

Mr. McGregor called for the ayes and noes on the question to amend the title, which were taken and were as follow :

Ayes—Messrs. Barber, Beardsley, Childs, Churchill, Carver, Hoyt, Newman, Sholes, Shew, Skinner, Story, Stevens, Whiton, and Blackstone (Speaker)—14.

Noes—Messrs. Billings, Brunson, Conroe, Cruson, Dewey, Jenkins, McGregor, Shackelford, Sutherland, and Street—10.

So the title was amended to read "A bill authorising a loan for the benefit of settlers upon the public lands in the Territory of Wisconsin."

Ordered, That the Clerk request the Council to concur in the several amendments made to said bill.

Mr. Childs from the committee on Engrossed Bills, reported

Bill No. 11, entitled "A bill relating to Judicial Districts," to be correctly engrossed:

Mr. Billings, by leave, introduced resolution No. 7, entitled "Resolution to authorise the chairman of the committee of arrangements to procure carpeting, stationary, &c. for the next session of the Legislative Assembly."

Which was read the first and second time.

On motion of Mr. Childs,

Resolved, That Peter B. Grignon, Recording Clerk for this House, be authorised to remain at this place after this House adjourns, for the purpose of bringing up and completing the Journal of the present session, and that he be allowed a reasonable compensation therefor.

Mr. Sutherland moved to adjourn.

Mr. Sholes moved to amend the motion to adjourn, by adding thereto the words following :

"Till 7 o'clock this evening."

Mr. McGregor called for the ayes and noes on the amendment to the motion, which were taken and were as follow :

Ayes:—Messrs. Barber, Childs, Hoyt, Jenkins, Newman, Sholes, Shackelford, Skinner, Sutherland, Street, Whiton, and Blackstone, Speaker—12.

Noes:—Messrs. Beardsley, Billings, Brunson, Conroe, Churchill, Cruson, Carver, Dewey, McGregor, Shew, Story and Stevens—12.

So the amendment to the motion was lost.

Mr. Conroe then renewed the motion to adjourn.

Mr. Childs moved to amend the motion by adding thereto, "till half past seven o'clock, this evening."

The ayes and noes being called for, were taken and were as follows:

Ayes:—Messrs. Barber, Brunson, Childs, Hoyt, Jenkins, Newman, Sholes, Shackelford, Skinner, Street, Whiton and Blackstone, Speaker—12.

Noes:—Messrs. Beardsley, Billings, Churchill, Cruson, Carver, Dewey, McGregor, Shew, Story, Stevens and Sutherland—11.

So the House adjourned till half past seven o'clock, P. M.

HALF PAST 7 O'CLOCK, P. M.

On motion of Mr. Whiton,

Bill No. 3, (Council file,) entitled "A bill relating to interest," was considered in the committee of the whole, Mr. Barber in the chair.

After some time the committee rose, and reported the bill to the House without amendment,

The report was accepted.

Mr. Shackelford moved that the bill be ordered to be engrossed for a third reading on to-morrow.

And the ayes and noes being called for on that motion, were taken and were as follows:

Ayes:—Messrs. Barber, Beardsley, Brunson, Childs, Conroe, Churchill, Hoyt, McGregor, Newman, Sholes, Shackelford, Stevens and Street—13.

Noes:—Messrs. Billings, Cruson, Carver, Dewey, Jenkins, Shew, Skinner, Story, Sutherland, Whiton and Blackstone, Speaker—11.

The following bills and memorial were announced ready for the third reading, and were read the third time, passed, and the titles thereof agreed to, viz:

No. 1, (H. R. file,) "A memorial of the Legislative Assembly of the Territory of Wisconsin to Congress, praying that the term of members of the Council may be changed from four to two, and that of the members of the House of Representatives from two to one year."

No. 13, (H. R. file,) "A bill to provide for laying out and establishing a Territorial road from Beloit, via. Janesville, and Aztalan, to Watertown."

No. 11, (C. file,) "A bill relating to Judicial Districts."

Ordered, That the Council be requested to concur therein.

On motion of Mr. Barber,

Memorial No. 3, (H. R. file,) entitled "A memorial to Congress, praying the passage of a law granting pre-emption to the settlers on

the line of the Milwaukee and Rock river canal," was committed to the committee by whom it was reported.

On motion of Mr. Childs,

Bill No. 16, (H. of R. file,) entitled "A bill to amend an act entitled an act to incorporate the Wisconsin Mineral and Transportation Company," was read the first and second time.

Mr. Barber presented the account of Thomas J. Mormon for wood, &c.

Referred to the committee on Expenses.

On motion of Mr. Carver,

The House adjourned.

Thursday, December 20, 1838.

The Speaker, laid before the House, the following message, from the Executive :

EXECUTIVE DEPARTMENT,

December 20, 1838.

"To the Hon. the Speaker of the House of Representatives :

"SIR—I have examined and approved the following, and herewith return the same to your House where they originated :

"An act to prevent stallions in certain cases from running at large.

"An act to provide for the destruction of wolves ;

"An act to repeal so much of an act to divide the county of Iowa, as establishes the seat of justice of the county of Green, at New Mexico, and to provide for the location of the seat of justice of the county of Green, and

"A preamble and resolution concerning surveys to be made of a portion of the public lands north of the Wisconsin and Fox, and east of the Mississippi river.

"Very respectfully,

"Your obed't. servant,

"HENRY DODGE."

A communication was received from James G. Edwards, in relation to the printing of the Laws, &c. which was referred to the same joint committee to which a previous communication was referred, on the same subject.

Ordered, That the Council be informed thereof.

Mr. Skinner, from the committee to whom was committed memorial No. 3, (H. R. F.) entitled "A memorial to Congress praying the passage of a law, granting pre-emption to settlers on the line of the Milwaukee and Rock River Canal," reported the same back to the House, with an amendment.

The said memorial was then read the first and second time.

Mr. Barber, from the committee on expenses, to whom had been referred sundry accounts, presented the accounts of Charles C. Sholes and Frederick Hollman, and moved that they be referred to the Committee on Claims.

So referred.

Mr. Childs, from the committee on Engrossed Bills, reported the following to be correctly engrossed, viz :

No. 3, (C. F.) "A bill relating to interest."

No. 5, (H. R.) "A bill to amend an act entitled "An act concerning the Supreme and District Courts, and defining their jurisdiction and powers."

Memorial No. 4, (H. R. file) "A memorial to Congress for the improvement of the Mississippi, Wisconsin and Platte rivers."

Mr. Story, from the committee to whom was referred so much of the Governor's message as relates to an application to Congress for the admission of Wisconsin as a State into the Union, made the following report :

That, in their opinion, the true interests of the Territory would be prejudiced, considering her population and resources, by an admission into the Union at the present time. They would therefore deem it inexpedient to have further action on this subject, and beg leave to be excused from its consideration.

The report was accepted, and the committee discharged.

The Speaker announced the following resolution and memorials ready for a third reading, and they were severally read the third time, passed, and the titles thereof agreed to, viz :

No. 6, "A resolution relating to the transportation of the mail from Madison to Milwaukee."

No. 4, "A memorial to Congress, for the improvement of the Mississippi, Wisconsin and Platte rivers."

No. 5, "A memorial, in relation to the sixteenth sections,"

Ordered, That the Clerk request the Council to concur therein.

Bill No. 3, (Council file,) entitled "A bill relating to interest," was announced ready for the third reading, and was read the third time.

Mr. Sholes, then moved a call of the House, which was ordered.

The roll was called, and the Sergeant-at-Arms was sent after the absent member.

Mr. Barber moved that the bill be laid on the table, for the present.

Mr. Shew moved an amendment to the motion, as follow :

That the bill be laid on the table until the next session.

And the ayes and noes being called for on this question, were as follow :

Ayes :—Messrs. Carver, Shew, Story and Sutherland—4.

Noes :—Messrs. Barber, Beardsley, Billings, Baldwin, Brunson, Childs, Conroe, Churchill, Cruson, Dewey, Hoyt, Jenkins, McGregor.

Dec. 20.

HOUSE OF REPRESENTATIVES.

Newman, Sholes, Shackelford, Skinner, Stevens, Street, Whiton and Blackstone, Speaker—21.

Mr. Barber, by leave, withdrew the motion to lay on the table.

The question was then taken on the final passage of the bill, and the ayes and noes being called for, were as follow :

Ayes :—Messrs. Barber, Childs, Conroe, Churchill, Hoyt, McGregor, Newman, Sholes, Shackelford, Skinner and Stevens—11:

Noes :—Messrs. Beardsley, Billings, Baldwin, Brunson, Crison, Carver, Dewey, Jenkins, Shew, Story, Sutherland, Street, Whiton and Blackstone, speaker—14.

So the bill was lost.

Ordered, That the Council be informed thereof.

On motion of Mr. Barber,

Bill No. 15, (H. of R. file,) entitled "A bill to provide for laying out, and establishing a Territorial road from Milwaukee to Beloit, in the county of Rock," was recommitted to the committee by whom it was reported.

The House then considered bill No. 11, entitled "A bill to provide for laying out and establishing a Territorial road, from the south line of the Territory, in the town of Beloit, in the county of Rock, to Madison, in the county of Dane," in the committee of the whole, Mr. McGregor in the chair.

After some time, the committee rose, and reported the bill, to the House, without amendment.

The report was agreed to, and the bill ordered to be engrossed for the third reading.

On motion of Mr. Shew,

The House considered bill No. 13, (Council file,) entitled "A bill to amend an act to establish and regulate ferries in the county of Milwaukee, and the counties thereto attached for judicial purposes," in the committee of the whole, Mr. Sholes in the chair.

After some time, the bill was reported to the House, with amendments.

The report was agreed to, and the bill was ordered to be engrossed and read the third time.

On motion of Mr. Billings,

Bill No. 14, (H. of R. file,) entitled "A bill to amend an act entitled an act, in relation to the evidences of title to lands in the Territory of Wisconsin," and Resolution No. 7, entitled "Resolution to authorize the chairman of the committee of arrangements to procure competing, stationary, &c. for the next session," were considered in the committee of the whole, Mr. Whiton in the chair.

After some time, the committee reported the resolution with an amendment, and the bill without amendment.

The report of the committee, was agreed to.

Ordered, That the said bill and resolution, be engrossed and read the third time.

On motion of Mr. Carver,
The House adjourned, until 3 o'clock, P. M.

3 O'CLOCK, P. M.

Mr. Carver moved a call of the House, which was ordered.

The Clerk proceeded to call the roll, when a quorum was announced to be present, and the further call, dispensed with.

On motion of Mr. Churchill,

The House resolved itself, into the committee of the whole, for the consideration of memorial No. 3, (H. of R. File,) entitled "A memorial to Congress praying the passage of a law granting pre-emption to the settlers on the line of the Milwaukee and Rock river canal," Mr. Street in the chair.

After some time, the committee rose, and by their chairman reported the memorial with an amendment.

The report of the committee was agreed to.

The said memorial was then :

Ordered, to be engrossed for a third reading.

On motion of Mr. Skinner,

The said memorial was, by special order of the House, read the third time, passed, and the title thereof agreed to.

Ordered, That the Council be requested to concur therein.

Mr. Childs from the committee on Engrossed Bills reported bill No. 13, (Council File,) "A bill to amend an act, to establish and regulate ferries in the county of Milwaukee, and the counties thereto attached for judicial purposes," to be correctly engrossed.

Mr. Sholes, from the committee on Enrolled Bills, reported the following, to be correctly enrolled, viz :

"An act to lay out and establish certain territorial roads," and

"A memorial to Congress praying for appropriations for harbors on the western shore of Lake Michigan."

The Speaker signed the said act and memorial, and

Ordered, them to be presented to the President of the Council for his signature.

On motion of Mr. Billings,

Bill No. 12, (H. of R. File,) entitled "A bill to incorporate the Dodgeville Mining Company," was taken up, and ordered to be engrossed for the third reading.

Mr. Barber, from the committee to whom was referred bill No. 15, reported the same back to the House, with an amendment.

On motion of Mr. Barber,

The following bills, and resolution, were read the first, and second, time, by their titles, viz :

No. 15, "A bill to provide for laying out a territorial road from Milwaukee to Beloit."

No. 17, "A bill authorising the Commissioners of Milwaukee county, to procure certain records of titles therein mentioned."

No. 18, "A bill for a road from Racine to Madison."

No. 8, "A resolution to authorise the Bank Committee, to publish their examination, as soon, as an examination, shall have been had."

On motion of Mr. Whiton,

The rule requiring bills, &c. to be printed, after the second reading, was suspended with reference to the said several bills, and

On motion of Mr. Barber,

The House resolved itself into the committee of the whole, on said bills and resolution, Mr. Story in the chair.

After some time, the committee rose, and by its chairman reported bills Nos. 15 and 17 without amendment, and bill No. 18, and resolution No. 8, with amendments.

The report of the committee, was agreed to, and the bills were severally ordered, to be engrossed for the third reading.

The question of engrossment for the third reading, was then taken on resolution No. 8, and decided in the negative.

On motion of Mr. Billings,

Resolution No. 6, (C. File,) entitled "A resolution to authorise the location of a portion of the University lands," was considered, in committee of the whole, Mr. Beardsley in the chair, and was, after some time spent therein, reported to the House with amendments.

The amendments were agreed to, and the resolution was ordered to be engrossed for the third reading.

The Secretary of the Council being introduced, delivered the following message:

"Mr. Speaker—The Council have passed memorial No. 4, 'A memorial to the Congress of the United States for the relief of the owners or proprietors of mineral lots in the Wisconsin Land Districts, in which I am directed to ask the concurrence of this House; and have concurred in the amendments of this House to the following bills, viz:

"No. 11. A bill relating to the Judicial Districts, and

"No. 15. A bill to provide for the construction of a bridge across the Milwaukee River, at the town of Milwaukee.

"The Governor has notified the Council that he did examine, and approve, on yesterday, the following, viz:

"A preamble and resolution to terminate the present session and to fix the time for commencing the annual session of the Legislative Assembly for 1839, and

"A memorial to the Congress of the United States, praying for a donation of land for the Pekatoneca river."

And then he withdrew.

Mr. Childs presented the account of J. A. Noonan, for printing, &c.

Referred to the committee on expenses.

The Speaker laid before the House a communication from the Librarian, enclosing an account, which was read and referred to the committee on expenses.

On motion of Mr. Billings,

The following memorials, resolutions, and bill from the Council, were read the first and second time, viz :

No. 4. "A memorial to the Congress of the United States for the relief of the owners or proprietors of mineral lots in the Wisconsin Land District."

No. 7. "A memorial to the Congress of the United States, asking a confirmation of the titles to Lots one, two, and three, in section thirty two, town seven, range twenty-two, in the county of Milwaukee."

No. 10. "A resolution requesting the Secretary of the Territory to forward copies of memorials to Congress."

No. 11. "Resolutions calling on the Secretary of the United States Treasury, for certain statements therein mentioned and for other purposes."

No. 19. "A bill to locate several territorial roads therein named."

Memorial No. 4, (C. F.) was then considered in the committee of the whole, Mr. Sholes in the chair.

After some time the said memorial was reported to the House without amendment.

The report of the committee was agreed to:

On motion of Mr. Billings.

The rule requiring bills to be engrossed before the third reading was suspended in reference thereto, and by special order of the House, the memorial was read the third time, passed, and the title thereof agreed to.

Ordered, That the Council be informed thereof.

On motion of Mr. Sholes,

The House adjourned.

Friday, December 21, 1838.

The Speaker laid before the house the following message from the Executive.

"EXECUTIVE DEPARTMENT,

December 21th, 1838.

"To the Hon. the Speaker of the House of Representatives.

"Sir—I have this day examined and approved the following:

"An act to lay out and establish certain territorial roads; and

"A memorial to Congress praying for appropriations for harbors on

the western shore of Lake Michigan, and herewith transmit the same to your House, where they originated.

"Very respectfully, your obedient servant,

"HENRY DODGE."

Mr. Whiton, of the committee on claims, to whom was referred the claim of T. H. Floodman, for services rendered in the organization of the Territorial Government in 1836, and the claim of Charles C. Sholes for printing, made report,

That the said claims appear to be just and reasonable, and ought to be allowed.

And he therefore moved that the said claims be referred to the committee on expenses.

The report was accepted, and

The claims were so referred.

Mr. Baldwin, from the committee on Engrossed Bills, reported the following bills, (H. R. file) to be correctly engrossed, viz :

No. 11. "A bill to provide for laying out and establishing a territorial road, from the south line of the Territory in the town of Beloit, in the county of Rock, to Madison, in the county of Dane."

No. 12. "A bill to incorporate the Dodgeville Mining Company."

No. 14. "A bill to amend an act, entitled 'an act in relation to the evidences of the title to lands in the Territory of Wisconsin.'"

No. 15. "A bill to provide for laying out and establishing a territorial road from Milwaukee, to Beloit, in the county of Rock."

No. 17. "A bill authorizing the commissioners of Milwaukee county to procure certain records of titles therein mentioned."

No. 18. "A bill for a road from Racine to Madison."

Mr. Childs, from the joint committee, to whom were referred two communications from James G. Edwards, in relation to the printing of the laws, reported a preamble and resolution (No. 9) entitled

"Preamble and resolution relative to the communications of James G. Edwards, the contractor to print the laws."

The report was accepted, and the committee discharged.

The said preamble and resolution were then read the first and second time.

Mr. Baldwin, from the committee on Engrossed Bills, reported resolution No. 6, (C. F.) entitled "A resolution to authorize the location of a portion of the University lands," and bill

No. 13, (C. F.) entitled "A bill to amend an act to establish and regulate ferries in the county of Milwaukee and the counties thereto attached for judicial purposes," to be correctly engrossed.

On motion of Mr. Sholes,

Resolution No. 7, entitled "A resolution to authorize the chairman of the committee of arrangements," &c., was taken up and amended by unanimous consent, by inserting "E. Childs" before the word "chairman," wherever the word occurs in the resolution and title.

Ordered, That the Council be requested to concur therein.

The following bills, (H. R. file,) were then announced ready for the third reading, and were severally read the third time, passed, and the titles thereof agreed to, viz:

No. 11. "A bill to provide for laying out and establishing a Territorial road, from the south line of the Territory, in the town of Beloit, in the county of Rock, to Madison, in the county of Dane."

No. 12. "A bill to incorporate the Dodgeville Mining Company."

No. 14. "A bill to amend an act, entitled 'An act in relation to the evidences of the title to lands in the Territory of Wisconsin,'"

No. 15. "A bill to provide for laying out and establishing a Territorial road from Milwaukee to Beloit, in the county of Rock."

No. 17. "A bill authorising the Commissioners of Milwaukee county, to procure certain records of titles therein mentioned."

No. 18. "A bill for a road from Racine to Madison."

Ordered, That the Council be requested to concur in said bills.

Bill No. 13, (Council file,) entitled "A bill to amend an act to establish and regulate ferries in the county of Milwaukee, and the counties thereto attached for judicial purposes," was then announced ready for the third reading, and was read the third time, passed, and the title thereof agreed to.

Ordered, That the Council be informed thereof.

Resolution No. 6, (Council file,) was recommitted to the committee of the whole.

The House then considered said resolution in the committee of the whole, Mr. Childs in the chair.

After some time the committee rose and, by their chairman, reported the resolution with an amendment.

The report of the committee was accepted.

Mr. Conroe then moved that the said resolution be laid on the table.

The ayes and noes being called for, were as follow:

Ayes:—Messrs. Brunson, Conroe, Shackelford, Shew and Stevens—5.

Noes:—Messrs. Barber, Beardsley, Billings, Baldwin, Childs, Churchill, Cruson, Carver, Dewey, Hoyt, McGregor, Newman, Sholes, Skinner, Story, Sutherland, Street, Whiton and Blackstone, Speaker.

—19.

The said resolution, was then ordered, to be engrossed for a third reading.

Mr. Baldwin, from the committee on Engrossed Bills, reported

Resolution No. 6, (Council file,) entitled "A resolution to authorize the location of a portion of the University lands," to be correctly engrossed.

The said resolution was then read the third time, passed, and the title thereof agreed to.

Ordered, That the Council be requested to concur in the said amendments.

The said resolution was then read the third time, passed, and the title thereof agreed to.

The following message was received from the Council by the Secretary thereof:

"Mr. Speaker,—The Council have passed bill No. 22, 'A bill to provide for the compensation of the officers of the Legislative Assembly, and for other purposes,' in which the concurrence of this House is requested."

And then he withdrew.

The House, on motion, resolved itself into the committee of the whole, Mr. Childs in the chair, having the following under consideration, to wit:

No. 9, (H. of R. File,) "Preamble and resolution relative to the communication of J. G. Edwards, the contractor to print the laws."

No. 6, (C. File,) "A memorial praying Congress to grant to the Brothertown and Stockbridge Indians, the title to their lands in fee, and the privileges of citizenship."

No. 7, (C. File,) "A memorial to the Congress of the United States, asking a confirmation of the titles to lots one, two and three, in section thirty-two, town seven, range twenty-two, in the county of Milwaukee."

No. 10, (C. File,) "A resolution requesting the Secretary of the Territory to forward copies of memorials to Congress."

No. 11, (C. File,) "Resolutions, calling on the Secretary of the United States Treasury, for certain statements, therein mentioned; and for other purposes."

No. 17, (C. File,) "A bill to amend the several acts, relative to the admission of Attorneys and Counsellors at law."

No. 18, (C. File,) "A bill to change the corporate name, of the Wisconsin University of Green Bay, and for other purposes."

No. 19, (C. File,) "A bill to locate several Territorial Roads therein named."

No. 20, (C. File,) "A bill to provide for the election of a Territorial Printer."

No. 19, (H. of R. File,) "A bill to incorporate the Beloit Manufacturing Company."

After a long time, the committee rose, and reported, bills Nos. 19 and 20, (C. File,) with amendments, and the other resolutions, memorials, and bills, without amendment.

The report of the committee was agreed to.

The following message, was received from the Council, by the Secretary thereof:

"Mr. Speaker,—The Council have concurred in the amendments, of this House, to bill No. 13, "A bill to amend an act to establish and regulate ferries in the county of Milwaukee, and the counties thereto attached for judicial purposes." And have disagreed to all the amend-

amends to resolution No. 6, "A resolution to authorize the location of a portion of the University lands.

"The Governor, has notified the Council, that he did, on yesterday, examine and approve "An act to provide for laying out a territorial road from Madison to the State line of Illinois."

And then he withdrew.

On motion of Mr. McGregor,

The House adjourned, until 2 o'clock, P. M.

2 O'CLOCK, P. M.

Mr. Barber presented the account of James Morrison, for articles furnished the Legislative Assembly.

Which was, on motion, rejected.

Mr. Sholes, from the joint committee on Enrolled Bills, reported the following memorial to be correctly enrolled, viz :

"A memorial to the Congress of the United States, for the relief of the owners or proprietors of mineral lots in the Wisconsin Land District."

The said memorial was presented to, signed by the Speaker, and ordered to be presented to the President of the Council. for his signature.

Memorial No. 6, (C. F.) "A memorial praying Congress to grant to the Brothertown and Stockbridge Indians the title to their lands in fee, and the privileges of citizenship," was read the third time; the rule requiring its engrossment being suspended, and

On the question, "Shall this memorial pass," the ayes and noes being called for, were as follow, viz :

Yeas :—Messrs. Barber, Childs, Conroe, Churchill, Hoyt, Newman, Sholes, Shackelford, Skinner, Stevens and Whiton—11.

Noes :—Messrs. Beardsley, Billings, Baldwin, Cruson, Carver, Dewey, McGregor, Shew, Story, Sutherland, Street and Blackstone, (Speaker.)—12.

So the bill was negatived.

The following memorials and resolutions were then, by special order of the House, read the third time, passed, and the titles thereof agreed to, the rule requiring their engrossment being suspended, viz :

No. 7, (C. F.) "A memorial to the Congress of the United States, asking a confirmation of the titles to lots one, two, and three, in section thirty-two, town seven, range twenty-two, in the county of Milwaukee."

No. 9. (H. R. F.) "A preamble and resolution relating to the printing of the laws, by James G. Edwards, the contractor."

No. 10, (C. F.) "A resolution requesting the Secretary of the Territory to forward copies of memorials to Congress."

No. 11, (C. F.) "Resolution calling on the Secretary of the United

States Treasury for certain statements therein mentioned, and for other purposes.

Ordered, That the Council be informed thereof.

Bill No. 17, (C. F.) entitled "A bill to amend the several acts, relative to the admission of Attornies and Counsellors at law," was,

On motion of Mr. Street,

Referred to the joint committee appointed to revise the laws.

Ordered, That the Council be informed thereof.

The following bills, were then, by special order of the House, read the third time, passed, and the titles thereof agreed to, the rule requiring engrossment, being suspended, viz :

No. 18. (C. F.) A bill to change the corporate name of the Wisconsin University of Green Bay, and for other purposes."

No. 19, (C. F.) "A bill to locate several territorial roads therein named."

Ordered, That the Council be informed thereof.

No. 20. (C. F.) "A bill to provide for the election of a Territorial Printer," was taken up, and a motion being made to lay the bill on the table, the ayes and noes were called for, and were as follow:

Ayes, Messrs. Barber, Beardsley, Billings, Baldwin, Churchill, Cruson, Dewey, Hoyt, McGregor, Shew, Skinner, Story, Sutherland, Street, and Blackstone, Speaker—15.

Noes—Messrs. Childs, Conroe, Carver, Newman, Sholes, Shackelford, Stevens, and Whiton—8

On motion of Mr. Whiton,

Bill No. 19, (H. R.) entitled "A bill to incorporate the Beloit Manufacturing Company," was ordered to be laid on the table.

Mr. Childs, by leave, introduced resolution No. 10, entitled "A resolution to suspend the 14th and 15th of the joint rules of both Houses."

Which was read the first and second time.

The resolution, was then, by special order of the house, read the third time, passed, and the title agreed to, all rules having been suspended in reference thereto.

Ordered, That the Clerk request the Council to concur therein.

Mr. Cruson offered the following resolutions :

Resolved, That Daniel H. Richards, be authorized to print the laws passed at this session.

Resolved, That J. A. Noonan, be authorised to print the Journal of the House of Representatives, for this session.

Resolved, That Welsh & Ploughman be authorized to print the Journal of the Council for this session.

The said resolutions were read and rejected.

Bill No. 22, (C. F.) entitled "A bill to provide for the compensation of the officers of the Legislative Assembly and for other purposes," was read the first and second time, and

On motion of Mr. Childs,

The House resolved itself into the committee of the whole for the consideration of said bill, Mr. Dewey in the chair.

After some time, the committee rose, and by their chairman, reported the bill to the House with amendments.

The report of the committee was agreed to, and the bill

Ordered to be engrossed for a third reading.

Mr. Baldwin, from the committee on Engrossed Bills, reported bill No. 22, (C. F.) entitled "A bill to provide for the compensation of the officers of the Legislative Assembly and for other purposes," to be correctly engrossed.

The said bill was then by special order of the House, read the third time, and on the question "shall the bill pass?" the ayes and noes being called for, were as follow:

Ayes—Messrs. Barber, Beardsley, Baldwin, Childs, Conroe, Churchill, Cruson, Carver, Dewey, Hoyt, Jenkins, Shackelford, Shew, Story, Sutherland, Street, Whiton, and Blackstone, Speaker—18.

No—Mr. McGregor—1.

Ordered, That the Council be requested to concur in the amendments to said bills.

The House adjourned till half past 7 o'clock, P. M.

HALF PAST 7 O'CLOCK, P. M.

Mr. Beardsley offered the following resolution,

Resolved, That the officers of the House of Representatives shall hereafter consist of the following, to wit: One Secretary, three transcribing Clerks, one Sergeant-at-Arms, one Door-keeper, and one Messenger, and no one of the officers shall receive more than three dollars per day, except the Secretary, who shall receive such amount as this House shall think proper.

Mr. Carver moved to amend the resolution by inserting "Assistant Secretary," after the word Secretary.

Which was agreed to.

Mr. Carver moved to amend the resolution so as to allow the officers "four" dollars per day.

Which was disagreed to.

Mr. Childs moved to lay the resolution on the table.

The motion was lost.

Mr. Cruson moved to amend the resolution, by adding "Fireman," to the list of officers.

Which motion was lost.

The ayes and noes being called for, on adopting said resolution, were as follow:

Ayes:—Messrs. Barber, Beardsley, Billings, Baldwin, Conroe,

Churchill, Dewey, Hoyt, Jenkins, McGregor, Newman, Shew, Skinner, Story, Stevens, Sutherland, Street, Whiton and Blackstone, Speaker—19.

Noes:—Messrs. Childs, Cruson, Carver, Sholes and Shackelford—5.
So the resolution was adopted.

Mr. Sholes, from the committee on Enrolled Bills, reported the following to be correctly enrolled, viz:

“An act to amend an act to establish and regulate ferries in the county of Milwaukee.”

“An act relating to Judicial Districts.”

“An act to provide for the construction of a bridge across the Milwaukee river in the town of Milwaukee.”

The Speaker signed the said several acts, and ordered, that they be presented to the President of the Council, for his signature.

Mr. Whiton moved that the House insist on their amendments to resolution No. 6, (Council file,) entitled “A resolution to authorize the location of a portion of the University lands,” to which the Council had disagreed.

The ayes and noes being called for, on the said motion, were taken and were as follow:

Ayes:—Messrs. Barber, Beardsley, Billings, Childs, Churchill, Cruson, Carver, Dewey, Hoyt, Jenkins, Newman, Sholes, Shackelford, Shew, Skinner, Story, Stevens, Sutherland, Whiton and Blackstone, Speaker—20.

Noes:—Messrs. Baldwin, Conroe, McGregor and Street—4.

Messrs. Whiton and Cruson were then appointed a committee of conference, on the part of the House, in relation to the said disagreement.

Ordered, That the Clerk request a conference thereon.

Message from the Council by the Secretary:

“Mr. Speaker,—The Council have passed resolutions and memorials, as follow:

“No. 13. A preamble and resolution in relation to the contract of printing entered into with James G. Edwards, at the last session of the Legislative Assembly.

“No. 14. Resolution to provide for publishing the Laws and Journals of the present session of the Legislative Assembly; and,

“No. 8. A memorial to the Congress of the United States, praying a donation of land for the improvement of the Fox and Rock rivers; in which resolutions and memorial, I am directed to ask the concurrence of this House.

“The Council have concurred in the following bills, memorials and resolutions, of this House:

“No. 11. A bill to provide for laying out and establishing a Territorial road from the south line of the Territory, in the town of Beloit, in the county of Rock, to Madison, in the county of Dane.”

"No. 12. A bill to incorporate the Dodgeville Mining Company."

"No. 14. A bill to amend an act, entitled an act in relation to the evidences of the title to lands, in the Territory of Wisconsin."

"No. 15. A bill to provide for laying out a Territorial road from Milwaukee to Beloit."

"No. 17. A bill authorizing the Commissioners of Milwaukee county to procure certain records of titles, therein mentioned."

"No. 18. A bill for a road from Racine to Madison; and,

"No. 3. A memorial to Congress, praying the passage of a law granting pre-emption to the settlers on the line of the Milwaukee and Rock river canal."

"No. 4. A memorial to Congress for the improvement of the Mississippi, Wisconsin and Platte rivers."

"No. 6. A resolution relating to the transportation of the mail from Madison to Milwaukee."

"No. 10. A resolution to suspend the 14th and 15th of the joint rules of the two Houses, without amendments; and, in bill"

"No. 13. A bill to provide for laying out and establishing a Territorial road from Beloit, via. Janesville and Aztalan, to Watertown, with amendments; in which amendments I am directed to ask the concurrence of this House."

"The Council have likewise concurred in the amendments of this House, to bill No. 19, "A bill to locate several territorial roads therein named;" have referred to the committee appointed to revise the laws, memorial No. 1, A memorial of the Legislative Assembly of the Territory of Wisconsin to Congress, praying that the term of members of the Council may be changed from four to two years, and that of the members of the House of Representatives from two to one year."

"And have laid on the table No. 5, A memorial in relation to the sixteenth sections."

"No. 7. A resolution to authorize E. Childs, chairman of the committee of arrangements, to procure carpeting, stationary, &c. for the next session of the Legislative Assembly; and,

"No. 9. Preamble and resolution relating to the communications of J. G. Edwards, the contractor to print the laws."

And then he withdrew,

Mr. Sholes, from the committee on Enrolled Bills, reported the following to be correctly enrolled, viz:

"An act to change the corporate name of the Wisconsin University."

"Resolution calling on the Secretary of the United States Treasury for certain statements therein mentioned, and for other purposes;"

"Resolution requesting the Secretary of the Territory, to forward copies of memorials to Congress."

The said act and resolutions were then signed by the Speaker, and Ordered, to be presented to the President of the Council, for his signature.

Bill No. 22; (C. F.) entitled "A bill to provide for the compensation of the officers of the Legislative Assembly, and for other purposes" was taken up, and

On motion of Mr. Billings.

The amendments made by the Council, were concurred in.

Ordered, That the Council be informed thereof.

Memorial No. 8. (C. F.) entitled "A memorial to the Congress of the United States, praying a donation of land for the improvement of the Fox and Rock Rivers," was read the first and second time.

On motion of Mr. Sholes,

The House resolved itself into the committee of the whole, for the consideration of the said memorial, Mr. Carver in the chair.

After some time the committee rose, and by their chairman, reported the bill to the House, without amendment.

The report of the committee was agreed to.

Mr. Whiton moved to insert after the word "river," in the concluding paragraph, the words "North of Township No. 8, North."

The ayes and noes being called for, on agreeing to the said amendment, were taken and were as follow :

Ayes:—Messrs. Barber, Beardsley, Billings, Baldwin, Churchill, Cruson, Carver, Dewey, Hoyt, Jenkins, Newmen, Shew, Story, Stevens, Sutherland, Street, Whiton and Blackstone, Speaker.—18.

Noes:—Messrs. Childs, Conroe, McGregor, Sholes, Shackelford and Skinner—6.

Mr. Childs, moved to amend the fifth paragraph, by adding after the word territory, the words following :

"Reserving the right of the actual settlers on the public lands."

The ayes and noes being called for, were as follow :

Ayes:—Messrs. Barber, Beardsley, Billings, Baldwin, Childs, Conroe, Churchill, Cruson, Carver, Dewey, Hoyt, Jenkins, McGregor, Newman, Shackelford, Shew, Skinner, Story, Stevens, Sutherland, Street, Whiton and Blackstone, Speaker—23.

No:—Mr. Sholes—1.

On motion of Mr. Sholes, the rule requiring engrossment, and the rule prohibiting bills, &c., being read the second and third time, on the same day, were suspended. The said memorial was then read the third time, passed, and the title thereof agreed to.

Ordered, That the Council be requested to concur in the amendments made thereto.

The amendments to bill No. 13, of this House, entitled "A bill to provide for laying out and establishing a Territorial road from Beloit, via. Janesville and Aztalan, to Watertown," were read and concurred in.

Ordered, That the Council be informed thereof.

The Secretary of the Council being introduced, delivered the following message :

"Mr. Speaker,—The Council have concurred in the second, third, fifth and sixth amendments, of this House, to bill No. 22. 'A bill to provide for the compensation of the officers of the Legislative Assembly, and for other purposes;' and have amended the first and fifth amendments; in which amendments they ask the concurrence of this House.

"The Council have passed memorial No. 1, of this House, entitled 'A memorial of the Legislative Assembly of the Territory of Wisconsin, to Congress, praying that the term of the members of the Council may be changed from four to two years, and the members of the House of Representatives from two to one year.'"

And then he withdrew.

The following resolutions were then read the first and second time, viz :

No. 13, (C. File,) "Resolution in relation to the contract of printing entered into with James G. Edwards, at the last session of the Legislative Assembly," and

No. 14, (C. File,) "Resolution to provide for publishing the Laws and Journal of the present session of the Legislative Assembly."

The House then resolved itself into the committee of the whole, for the consideration of the said resolutions, Mr. Billings in the chair.

After some time, the committee rose, and by their chairman reported resolution No. 13, without amendment, and resolution No. 14, with amendments.

The report of the committee was agreed to.

On motion of Mr. Sholes,

The several rules were suspended in reference to said resolution, and they were severally read the third time and passed.

Ordered, That the Council be informed thereof, and be requested to concur in said amendments.

Mr. Sholes, from the joint committee on Enrolled Bills, reported the following to be correctly enrolled, viz :

"An act to provide for laying out a territorial road from Milwaukee to Beloit."

"A resolution to suspend the 14th and 15th of the joint rules of the two Houses."

"A resolution relating to the transportation of the mail from Madison to Milwaukee."

The Speaker signed the said act, and resolutions, and ordered them to be presented to the President of the Council for his signature.

The House adjourned.

Saturday, December 22, 1838.

Mr. Sholes, from the committee on Enrolled Bills, reported the following acts and memorials, to be correctly enrolled, viz :

"An act to provide for laying out and establishing certain Territorial Roads therein named."

"An act to incorporate the Dodgeville Mining Company."

"An act to provide for laying out and establishing a Territorial Road from the south line of the Territory, in the town of Beloit, in the county of Rock, to Madison, in the county of Dane."

"An act entitled an act to amend an act in relation to the evidence of the title to land, in the Territory of Wisconsin."

"An act authorising the Commissioners of Milwaukee county, to procure certain records of titles, therein mentioned."

"An act for a road from Racine to Madison."

"A memorial to Congress praying the passage of a law granting pre-emption to the settlers on the line of the Milwaukee and Rock River Canal."

"A memorial to Congress for the improvement of the Mississippi, Wisconsin and Platte Rivers."

"A memorial to the Congress of the United States, asking a confirmation of the titles to lots one, two and three, in section thirty-two, town seven, range twenty-two, in the county of Milwaukee."

The said acts and memorials, were then signed by the Speaker, and Ordered, To be presented to the President of the Council for his signature.

On motion of Mr. Sholes,

Resolved, That John Catlin, Chief Clerk of the House of Representatives, be authorised to prepare the Journal of the present session for the press, and that he be allowed such reasonable compensation therefor, as may be deemed expedient.

On motion of Mr. Childs,

Resolved, That W. T. Sterling be instructed to make out a true and correct catalogue, of all the books now in the Territorial Library, and that he be instructed to write to Burlington, in the Territory of Iowa, for the purpose of ascertaining what books may be found at that place, belonging to the Wisconsin Library; and report to this House, early at its next session.

The Secretary of the Council being introduced, delivered the following message:

"Mr. Speaker,—The Governor has notified the Council that he did on yesterday examine and approve the following, viz :

"An act relating to the Judicial Districts ;

"An act to amend 'An act to establish and regulate ferries in the county of Milwaukee, and the counties thereto attached for judicial purposes ;'

"An act to provide for the construction of a bridge across the Milwaukee river ; and

"A memorial to the Congress of the United States for the relief of the owners or proprietors of mineral lots, in the Wisconsin land district.

"The Council have concurred in the amendments made to memorial No. 8, entitled 'A memorial to the Congress of the United States, praying a donation of land for the improvement of the Fox and Rock rivers,' and have disagreed to all the amendments to resolution No. 14, Resolution to provide for publishing the Laws and Journals of the present session of the Legislative Assembly ;

"Messrs. Martin and Strong, have been appointed the committee of conference, on the part of the Council, in relation to the disagreeing vote, on resolution No. 6, 'A resolution to authorise the location of a portion of the University lands.'"

And then he withdrew.

Mr. Sholes, from the joint committee on Enrolled Bills, reported the following to be correctly enrolled, viz :

"An act to locate and establish several Territorial roads therein named ;

"An act to provide for the compensation of the officers of the Legislative Assembly and for other purposes."

The Speaker signed the said acts, and ordered that they be presented to the President of the Council, for his signature.

A motion was made by Mr. Shackelford, that the House do recede from all their amendments, except the last, to resolution No. 14, entitled "Resolution to provide for publishing the laws and journals of the present session of the Legislative Assembly ; and the ayes and noes being called for, on that motion, were as follow :

Ayes :—Messrs. Childs, Hoyt, Newman, Sholes, Shackelford and Stevens—6.

Noes :—Messrs. Barber, Beardsley, Billings, Baldwin, Conroe, Churchill, Carver, Jenkins, Shew, Skinner, Story, Sutherland, Whiton and Blackstone, Speaker—14.

Mr. Caryer then moved that the House insist on the last amendment ; and

The ayes and noes being called for, were as follow, viz :

Ayes :—Messrs. Barber, Beardsley, Billings, Baldwin, Childs, Conroe, Churchill, Carver, Hoyt, Jenkins, Newman, Sholes, Shackelford, Shew, Skinner, Story, Sutherland, Whiton and Blackstone, Spkr.—18.

No :—Mr. Stevens—1.

The Secretary of the Council being introduced, delivered the following message :

"Mr. Speaker,—The Council have concurred in resolution No. 7, entitled 'A resolution to authorise E. Childs, chairman of the committee of arrangements, to procure carpeting, stationary, &c. for the next session of the Legislative Assembly,' with amendments, in which they ask the concurrence of this House."

And then he withdrew.

Mr. Sholes moved that a committee of conference, be appointed on the disagreement of the two Houses, in relation to resolution No. 14, which was agreed to.

Messrs. Sholes and Barber were appointed the said committee.

Ordered, That the clerk request a conference thereon.

Mr. Whiton, from the committee of conference, appointed on the part of this House, to confer with a similar committee appointed by the Council, on the disagreement of the two Houses, in relation to resolution No. 6, (C. F.) reported,

That they have met the committee of the Council, and have agreed with them, to the following amendments, viz: Strike out in the first amendment adopted by this House, the words, "or any person who intends to become a settler," and strike out all the remaining amendments, adopted by this House.

Mr. Childs moved that the report of the committee be agreed to.

The ayes and noes being called for, on agreeing to the report, were taken, and were as follow, viz:

Ayes—Messrs. Beardsley, Billings, Childs, Carver, Newman, Sholes, Sutherland and Whiton—8.

Noes—Messrs. Barber, Baldwin, Conroe, Churchill, Hoyt, Jenkins, Shew, Skinner, Story, Stevens and Blackstone (Spkr.)—11.

So the report of the committee was disagreed to.

Ordered, That the Council be informed thereof.

The following message was received from the Council by the Secretary thereof:

"Mr. Speaker—The Council have passed memorial No. 5, "a memorial to the Congress of the United States setting forth the claims of this Territory to the jurisdiction of all the country north of a line drawn due west from the southern extreme of Lake Michigan, and praying the passage of a law establishing the line as aforesaid," in which I am directed to ask the concurrence of this House.

"The Council have adopted the report of the committee of conference in relation to the disagreeing vote of the two Houses, on resolution No. 6, entitled "a resolution, to authorise the location of a portion of the University lands."

And then he withdrew.

Resolution No. 7, (H. R. file) entitled "A resolution to authorise E. Childs, chairman of the committee of arrangements, to procure carpeting, stationary, &c. for the next session of the Legislative Assembly," was taken up and the amendments made by the Council were concurred in.

Ordered, That the Council be informed thereof.
 Memorial No. 5, (C. F.) entitled a "a memorial to the Congress of the United States, setting forth the claims of this Territory, to the jurisdiction of all the country north of a line drawn due west, from the southern extreme of Lake Michigan, and praying the passage of a law establishing the line as aforesaid," was taken up and read a first and second time.

On motion of Mr. Sholes, the several rules were suspended, in order that said memorial might be read a third time now.

The said memorial was then, by special order of the House, read the third time, passed, and the title agreed to.

Ordered, That the Council be informed thereof.

On motion of Mr. Stevens,

The House adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

The Speaker laid before the House, the following communication from the Executive :

"EXECUTIVE DEPARTMENT, Dec. 22, 1838.

"To the Hon. the Speaker of the House of Representatives :

"SIR,—I have examined and approved the following, and herewith return the same to your House where they originated, viz :

"An act to provide for laying out a territorial road from Milwaukee to Beloit.

"An act to amend an act entitled 'an act in relation to the evidences of the title to lands in the Territory of Wisconsin.'

"An act to provide for laying out and establishing a territorial road from the south line of the Territory, in the town of Beloit, in the county of Rock, to Madison, in the county of Dane.

"An act to incorporate the Dodgeville Mining Company.

"An act for a road from Racine to Madison.

"An act to authorise the Commissioners of Milwaukee county to procure certain records of titles therein mentioned.

"An act to provide for the laying out and establishing certain territorial roads therein named.

"A resolution relating to the transportation of the mail from Madison to Milwaukee.

"A resolution to suspend the 14th and 15th of the joint rules of the two Houses.

"A memorial to Congress praying the passage of a law granting pre-emption to the settlers on the line of the Milwaukee and Rock River Canal.

"A memorial to Congress for the improvement of the Mississippi, Wisconsin and Platte Rivers.

"Very respectfully, your ob'dt servant,

"HENRY DODGE."

Mr. Sholes, from the joint committee on Enrolled Bills, reported, the following to be correctly enrolled, viz :

"Resolution to authorise E. Childs, chairman of the committee of arrangements, to procure such articles as may be necessary, for the next session of the Legislative Assembly."

"A preamble and resolution in relation to the contract for printing entered into with James G. Edwards, at the last session of the Legislative Assembly."

The Speaker signed the said resolutions, and ordered, that they be presented to the President of the Council, for his signature.

Mr. Hoyt moved for a re-consideration of the vote, of the House, rejecting the joint report of the committee of conference, relating to resolution No. 6, (C. File,) entitled "A resolution to authorise the location of a portion of the University lands."

The ayes and noes being called for, were taken and were as follow, viz :

Ayes,—Messrs. Beardsley, Billings, Childs, Carver, Hoyt, Newman, Sholes, Shackelford, Sutherland, and Whiton,—10.

Noes,—Messrs. Barber, Baldwin, Conroe, Churchill, Jenkins, Shew, Story, Skinner, Stevens, and Blackstone, (Speaker,)—10.

So the motion to re-consider said resolution, was lost.

A motion was then made, to re-commit the report and resolution to the committee of conference, and the ayes and noes being desired, were taken as follow :

Ayes,—Messrs. Beardsley, Billings, Childs, Carver, Hoyt, and Whiton,—6.

Noes,—Messrs. Barber, Baldwin, Conroe, Churchill, Jenkins, Newman, Shew, Skinner, Story, Stevens, Sutherland, and Blackstone, (Speaker,)—12.

The Secretary of the Council being introduced, delivered the following message :

"Mr. Speaker—Messrs. Martin and Prentiss have been appointed the committee on the part of the Council to confer with the committee appointed by this House in relation to the disagreeing vote on resolution No. 14. "Resolution to provide for publishing the laws and journals of the present session of the Legislative Assembly."

"The Governor has informed the Council, that he did on this day examine and approve the following, viz :

"An act to locate and establish several territorial roads therein named ;"

"An act to change the corporate name of the Wisconsin University of Green Bay, and for other purposes ;"

"An act to provide for the compensation of the officers of the Legislative Assembly, and for other purposes ;"

"Resolution calling on the Secretary of the United States Treasury, for certain statements therein named, and for other purposes ;"

"A resolution requesting the Secretary of the Territory to forward copies of memorials to Congress;" and

"A memorial to the Congress of the United States asking a confirmation of the titles to lots one, two, and three, town seven, range twenty two, in the county of Milwaukee."

And then he withdrew.

Mr. Sholes from the joint committee on Enrolled Bills, reported the following to be correctly enrolled, viz:

"A memorial to the Congress of the United States, praying for a donation of land for the improvement of the Fox and Rock rivers."

The Speaker signed the said memorial, and

Ordered, That it be presented to the President of the Council for his signature.

Mr. Sholes, from the committee of conference appointed on the disagreeing vote of the two Houses, relating to the resolution to provide for printing the laws, journals, &c., reported,

"That they have agreed to the first amendment of the House, to strike out in the first resolution "Wisconsin Democrat," and

To the amendment of the House to the third resolution, to wit: Strike out "laws and," with the following amendment, to wit: Strike out "six hundred copies and," where the same occurs.

Also, "laws and," where the same occurs subsequently in the third resolution.

Also the amendment of the House in relation to giving bonds for the faithful performance of the printing &c."

The report of the committee was adopted, and the committee discharged.

Ordered, That the Council be informed thereof.

On motion of Mr. Barber,

Resolved, That Nathaniel F. Hyer, be authorized to draft or procure a large map of the Territory, showing all the territorial roads heretofore laid out and established, and also exhibiting the general course of those now authorized to be established, and to have the same in readiness for the commencement of the next session; and that he be allowed such compensation therefor, as shall be fixed by the Legislative Assembly.

On motion of Mr. Childs,

Resolved, That a committee of two be appointed to wait on the Council and inform that body that this House has no further business before it, and enquire whether the Council has any further messages to communicate.

Messrs. Childs and Billings were appointed said committee.

Mr. Childs, from the committee appointed to wait upon the Council, &c. reported that the Council had a farther communication to this House, which would be delivered in a few minutes.

On motion of Mr. Sutherland,

Resolved; That the thanks of this House, be tendered to J. W. Blackstone, for the able and satisfactory manner in which he has discharged the arduous duties as Speaker of this House, during the present session.

The Secretary of the Council being introduced, delivered the following message:

"Mr. Speaker,—The Council have concurred in the joint report of the committee of conference, on resolution No. 14, "A resolution to provide for publishing the Laws and Journals of the present session of the Legislative Assembly."

"The Council have appointed Messrs. Prentiss and Collins a committee to act in conjunction with a similar committee appointed on the part of this House, to wait upon his Excellency the Governor, and inform him that the two Houses have completed the business before them; and ask if he has any further communications to make."

And then he withdrew.

Mr. Sholes, from the committee on Enrolled Bills, reported the following to be correctly enrolled:

"Resolution to provide for publishing the Laws and Journals of the present session of the Legislative Assembly."

"A memorial to the Congress of the United States, setting forth the claims of this Territory to the jurisdiction of all the country north of a line drawn due west from the southern extreme of Lake Michigan, and establish the line as aforesaid."

The said resolution and memorial were signed by the Speaker, and

Ordered, To be presented to the President of the Council for his signature.

The House appointed Messrs. Story and Sholes, a committee, on the part of this House, to act in conjunction with the committee appointed by the Council, to wait upon his Excellency the Governor and inform him that the two Houses have completed their business, and to ask him if he has any communications to make to them.

On motion of Mr. Churchill,

Resolved, That the thanks of this House be tendered to Mr. John Catlin, for the prompt and efficient discharge of the duties of Chief Clerk.

The following message was received from the Executive:

EXECUTIVE DEPARTMENT;
Dec. 22, 1838.

To the Hon. the Speaker of the House of Representatives:

SIR,—I have this day examined and approved a "Resolution to authorise E. Childs, chairman of the committee of arrangements, to procure such articles as may be necessary for the next session of the Legislative Assembly," and herewith return the same to your House, where it originated: Very respectfully, your ob't serv't,

HENRY DODGE.

Mr. Story, from the joint committee appointed to wait upon His Excellency the Governor, and inform him that the two Houses have completed their business, &c., reported that they had performed the duty assigned them, and was informed by His Excellency the Governor, that he had no further communications to make.

A motion was then made by Mr. Sholes,

That this House do now adjourn, *sine die*.

Whereupon, the Speaker rose and addressed the House as follow :

GENTLEMEN,—Our duties for the present session are ended. In taking my leave of you, permit me to offer a few remarks, expressive of my feelings towards you. When we assembled here, we were mostly strangers to each other, and I believe most of us were inexperienced in the science of legislation. I hope the acquaintance we have formed in our daily intercourse with each other, will be to each of you, as it assuredly will be to me, a source of lasting satisfaction. When I accepted the situation to which your partiality elevated me, I doubted my ability to discharge the duties of the office, and I frankly confess that I am more indebted to the uniform courtesy and assistance which I have received from every member of this House, than to my own exertions, for the flattering compliment now paid me by the adoption of your resolution. The duties which have devolved on me, have been performed honestly, and I trust, impartially. If I have erred, it has been unintentionally, and without any design to injure the feelings of any member of this body. The harmony and good will which has pervaded all our deliberations—the desire to promote the welfare of the country—and the constant exertion on the part of every member, to advance the general interest of the territory, have made impressions on my mind that will not be easily effaced.

We are now about to return to our homes—to mingle again with our fellow citizens—and to learn from them their approbation or disapprobation of the course we have pursued, and the measures we have adopted. We will likewise learn their wishes and opinions on the important subjects which will require our attention at our next session. May it be your good fortune to learn that your public course has been in accordance with the interests of your constituents ; for their approval of your measures will be the most satisfactory reward you can receive. Accept, gentlemen, my thanks for your indulgence, and my best wishes for your individual happiness and prosperity. May your return to your families and friends be happy.

The Speaker then put the motion of Mr. Sholes, and announced the House adjourned, *sine die*.

APPENDIX.

APPENDIX.

MEMORIALS PASSED BY THE LEGISLATURE, WHICH
ORIGINATED IN THE HOUSE OF REPRESENTA-
TIVES.

Memorial No. 1.

[SEE PAGE 40.]

Memorial No. 2.

*To the Honorable, the Senate and House of Representatives of the
United States of America, in Congress assembled:*

The Memorial of the Legislative Assembly of the Territory of Wisconsin, respectfully represents,—That the rapidly increasing Commerce of the Lakes, the already immense amount of property transported thereon, the safety of navigation and security of human life; all require and imperatively demand, that Harbors be constructed at different points along the western shore of Lake Michigan.

The fertile soil and salubrious climate of Wisconsin, are inducing thousands of the citizens of the old and densely populated States of the Union, to emigrate and seek for themselves a dwelling place, far from the homes of their fathers and the places of their nativity. They bring with them the industrious habits and enterprising spirits, which every where characterise them. Already the borders of the Lake, are assuming the appearance of a cultivated and long settled country; and the interior is rapidly filling up with an intelligent and enlightened population. The Government of the United States, is now receiving thousands of dollars from the sale of lands, made valuable only by the

toll and industry of these men: by the sweat of their brow they are replenishing an exhausted Treasury, and they ask that, only a small pittance of that money—a part of their own earnings—may be restored to them. No, they do not ask that it may be restored, but they do ask that a small share thereof may be appropriated in such a manner, as to render safe the transportation of their property, and add to the security of themselves and their friends. Your memorialists deem it but an act of justice, that whilst, in answer to the prayers of the rich merchants and capitalists on the sea-board, millions of dollars are annually expended by the General Government for the protection of the commerce of the Ocean, a few thousands, at least, should be appropriated in answer to the petitions of the settlers along the shores of the Lake, to secure themselves and their property from destruction.

Your memorialists do not consider it necessary to describe, particularly, the geographical position of the several points, where these improvements are required, as reports of surveys together with estimates of the expense of constructing harbors at these places have already, in most instances, been submitted to your Honorable bodies, by a United States' Engineer, appointed for that purpose. Chicago is the only place on the west side of the Lake, where an appropriation for a harbor has been made; thus the whole western shore is left unprotected, and vessels are frequently driven the whole length of the Lake, a distance of three or four hundred miles, before they can reach a place of safety.

Your memorialists would particularly call the attention of your Honorable bodies, to the situation of Milwaukee, already a town of considerable importance, occupying as it does a central position on the western shore of the Lake and at the most westerly bend thereof, and possessing an extremely fertile and extensive back country, rapidly increasing in population. This place requires an immediate and considerable appropriation.

During the past season, there have been at this place, upwards of five hundred arrivals and departures of steamboats and sail vessels, all of which were compelled to receive and discharge their lading by means of lighters, thereby incurring great risk, expense and inconvenience, and not unfrequently serious losses and which, but for a bar off the mouth of the river, might have sailed into the very centre of the town, and have received and discharged their freight at the merchants' wharves.

Your memorialists would further represent, that for want of a harbor at this place and at other points along the Wisconsin shore, goods shipped at Buffalo and other ports on Lake Erie, at a late season of the year, destined for Wisconsin, are often, on account of the difficulty or impossibility of landing, carried on to Chicago, where they remain till the opening of navigation the next season. Your memorialists would further represent, that Manitowoc and Sheboygan, situated

north of Milwaukee, the former, seventy-five, and the latter, fifty miles distant, are each towns of considerable importance; both of them possess extensive water power and both are engaged in the lumbering business, to such an extent as to furnish three or four millions of feet of lumber, per annum, for transportation. This must all be taken on board of vessels by means of lighters, at great risk and expense. The Manitowoc river, is second to none in size, on the western shore of the Lake, and if a harbor were constructed at this point, passengers and goods from the southern ports destined for Green Bay, might be landed here and carried across the country, a distance of only thirty miles, whereas, by the present route by water, the distance is one hundred and eighty miles. Racine and Southport, lying south of Milwaukee, the former twenty-five, and the latter thirty-five miles distant, are also flourishing towns, and destined soon to become places of great commercial importance, and the rich prairies in their vicinity are being rapidly converted into cultivated fields.

Your memorialists would further represent, that most of the lands in the vicinity of the towns where harbors are asked for, still belong to the United States, that they owe their present value entirely to the labor, industry and enterprise of individuals, and that this value would be greatly enhanced, the sale of the public lands promoted, and the national and individual wealth, increased by the construction of harbors at Milwaukee, and the other points on the western shore of Lake Michigan, where surveys have been made and reported.

Your memorialists therefore pray, that your Honorable bodies would make an appropriation during the present session of Congress, of Fifty Thousand Dollars for the construction of a Harbor at Milwaukee.

Also, an appropriation of Thirty Thousand Dollars for the construction of a Harbor at Manitowoc.

Also, an appropriation of Thirty Thousand Dollars for the construction of a Harbor at Sheboygan.

Also, an appropriation of Thirty Thousand Dollars for the construction of a Harbor at Racine.

Also, an appropriation of Thirty Thousand Dollars for the construction of a Harbor, and Five Thousand Dollars for a Light House, in the Township of Southport, at the points designated by the United States' Engineers.

Also, an appropriation for the purpose of constructing and placing Buoys in the channel, near the entrance of Fox river at the head of Green Bay, the sum of Fifteen Hundred Dollars.

Also, an appropriation of a sum not exceeding Two Thousand Dollars, to survey the route and report the practicability of a cut, from Sturgeon Bay to Lake Michigan, a distance of about two miles.

And also, an appropriation of a sum not exceeding One Thousand Dollars, for the purpose of examining the mouth of Twin River, on Lake Michigan, with a view of constructing a Harbor.

And your memorialists, as in duty bound, will every pray.

Memorial No. 3.

To the Honorable the Senate and House of Representatives of the United States of America, in Congress assembled :

The Memorial of the Legislative Assembly of the Territory of Wisconsin, respectfully represents : That believing the true policy of the general government has ever been to afford every facility and protection to the settlers on the public lands, and that granting pre-emption rights has had the desired effect, and given very general satisfaction. Your petitioners would therefore ask, of your honorable body, to extend the same facilities and protection to all actual settlers on the lands reserved from sale to the United States, by an act of Congress granting a quantity of land to aid in the construction of the Milwaukee and Rock River Canal. This portion of the country now contains a numerous population of enterprising and industrious agriculturists, a great portion of whom, have invested their all in providing homes for their families, and for unforeseen wants incident upon settling a new country ; they are consequently unable to pay more than the minimum price of one dollar and twenty-five cents per acre, as established by Congress.

And as other portions of the country, bordering upon great rivers of the Territory which are by nature the highways of commerce, have been secured to the settlers by pre-emption at the minimum price of one dollar and twenty-five cents per acre, it is confidently believed that your Honorable body will deem it but an act of justice to secure to this less favored portion of the community, who cannot avail themselves of these natural advantages of communication, those lands on which they now reside at the same minimum price, and thus effectually protect this most useful and enterprising class of our community.

And as in duty bound will ever pray.

Memorial No. 4.

To the Honorable the Senate and House of Representatives of the United States, in Congress assembled:

The memorial of the Legislative Assembly of the Territory of Wisconsin, respectfully represents: That the lower and upper rapids of the Mississippi river, are a great and serious obstacle to the successful navigation of that river, and the importance of the removal of the obstructions to the navigation of the Mississippi at these points, has long attracted the serious consideration of western Wisconsin, in conjunction with the other states and territories bordering upon the upper Mississippi. The trade of Wisconsin which must necessarily pass over these rapids, is increasing with a rapidity almost unparalleled in the history of any country. Already ten millions of pounds of lead are annually shipped from the lead mines of Wisconsin, in addition to the lead shipped from the state of Illinois, and the territory of Iowa, all of which must pass these rapids on the way to its destined market.— Nearly all the supplies for the lead region of country, (as well agricultural as mining) must pass these rapids during that portion of the year, when the Mississippi is at its lowest stage; thereby incurring great delay and expense in unloading steam-boats to enable them to pass over the rapids at this low stage of the river. Much and serious loss is annually occasioned to steam-boats and their cargoes in passing these rapids; and it has been ascertained that the yearly loss of property sustained on these rapids is equal to more than ten per centum per annum upon the whole amount shipped.

The United States Engineer has made a complete survey of the rapids, and pronounced the work practicable. It is not only the people of Wisconsin that are deeply interested in the final completion of this important work, but also the State of Illinois and the Territory of Iowa. Congress has already appropriated twenty thousand dollars for this purpose, but this sum was entirely too small, and consequently but little has been done. Your memorialists would represent further, that the Wisconsin is the most important river running into the Mississippi in the Territory—that its geographical situation and its course running as it does from central Wisconsin, a distance of more than two hundred miles through a portion of our Territory unequalled in its mineral resources of lead and copper, the fertility of its soil, the salu-

brity of its climate and the interminable forests of pine which bound it upon the north, most of which must seek a foreign market down the Wisconsin river; all of which will combine to render the successful navigation of this river and the commercial advantages to be derived therefrom of the highest importance to the future prosperity of this Territory. Your memorialists would also state that this river, in high stages of water is navigable to the Portage of the Fox and Wisconsin rivers, for the largest class of steam boats engaged in the Upper Mississippi trade, but that when the water of this river is low, it is only the smaller class of steam boats that can navigate it, and those with difficulty, owing to the moving sand bars that project into the channel of the river, principally however at or near its mouth, which obstacles to the navigation of the Wisconsin river your memorialists confidently believe can be removed at a comparative small expense. This improvement in connection with a canal one and a quarter miles long, which is now being completed, connecting the waters of the Fox and Wisconsin rivers at the Portage thereof, together with the contemplated improvement of the Fox river, would open a direct water communication with the Lake and eastern cities, and thereby throw open to the enterprising emigrants a much shorter, cheaper and more expeditious route to our north-western, and as yet, unsettled country.

Your memorialists would also state that the improvement of the navigation of these rivers would greatly facilitate the transportation of troops and the necessary munitions of war to the military posts upon our western border, whereas now all the military stores as well as the supplies for our citizens pass down the Ohio and then up the Mississippi rivers, attended with much greater expense, risk and delay than they would be if they could be shipped by the northern route. Your memorialists would further represent that Platteville, situated on little Platte river which empties itself into the Mississippi from the east, in this Territory is a flourishing town of considerable importance, and that the country for several miles around it, is one of the richest agricultural portions of western Wisconsin, and abounds in inexhaustible mines of lead ore. There are now annually sent to our eastern cities for market, from the immediate vicinity of this town, more than two millions of pounds of lead, which together with all the supplies for mining and farming purposes, are transported to and from the Mississippi in wagons, a distance of twenty-five miles, at great expense and inconvenience to the smelter and farmer. Your memorialists would also state, that the little Platte river is navigable for the largest class of steam boats within twelve miles of Platteville, and that a canal or slack-water navigation can be constructed from the head of navigation up this river to Platteville at a very small expense, which improvement would greatly increase the commercial importance of this portion of our country. Your memorialists would earnestly press upon your honorable bodies the consideration of the important works herein.

set forth, and also the fact that a deep interest is felt by the citizens of Wisconsin in their completion.

Your memorialists would therefore pray that your honorable bodies would make an appropriation during the present session of Congress, of the sum of one hundred thousand dollars for the improvement of the navigation of the Mississippi river at the upper and lower rapids thereof. Also, an appropriation of fifty thousand dollars for the purpose of ascertaining the most practicable means of removing the obstructions to the navigation of the Wisconsin river, and also, for removing the same. Also, an appropriation of one thousand dollars for the purpose of surveying and ascertaining the most practicable means of improving the navigation of little Platte river, and the big Platte river from its junction with the little Platte, to its mouth; and the probable expense thereof. And every alternate section [odd number] of land for five miles on each bank of said river for the construction of said improvement; and in case the odd sections are entered, other lands in lieu thereof.

And your memorialists, as in duty bound will ever pray.

DOCUMENT A.

BURLINGTON, IOWA, DECEMBER 1, 1838.

To the Speaker of the House of Representatives :

DEAR SIR,—A day or two since I sent a communication, addressed to yourself, by Mr. Black, brother-in-law to Gov. Dodge, in which I stated, at large, the cause which have prevented me from complying with my contract in printing the Laws. In that communication I stated the principal causes to be that I never have been furnished with the copy, except for the last winter and summer sessions, a copy of which I have taken the liberty to send you in a rough state, by mail.

In that communication I also asked for instructions of the Honorable body, of which you are a member, how I should proceed—whether I should have the part already printed done up in pamphlet form, or wait until I could be furnished with the remainder of the copy, and if instructed to do it up in pamphlet form, whether I could be furnished with the copy of the remainder and have that also done up in the same form, so as to correspond. I also stated that I had experienced considerable perplexity and had been at considerable expense, and it is the practice of many of the western legislatures to advance money to their printers, I took the liberty to ask for an immediate appropriation

of \$1,000 or \$1500, to meet the expenses I had already incurred, in printing for your Honorable body. If I could be furnished immediately with a negotiable draft, it would greatly relieve the embarrassment which has been occasioned in prosecuting this work.

I hope you will receive the communication sent by Mr. Black, as it is much more particular in its details, than the one I now send. I sent it without being copied, in a very rough form, in consequence of his leaving this place sooner than I anticipated.

I also hope you will lay the facts before the Honorable Legislature, as soon as possible, so that I may have an answer in regard to instructions, &c.

I have written to the Governor twice in relation to this subject, but as yet have received no answer. My first communication to him was dated as far back as the last of August or first of September,

I have the honor to be,

Your most ob'dt serv't,

JAMES G. EDWARDS.

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